

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

SATURDAY, JUNE 30, 2007

SESSION OF 2007

191ST OF THE GENERAL ASSEMBLY

No. 61

HOUSE OF REPRESENTATIVES

The House convened at 2 p.m., e.d.t.

THE SPEAKER (DENNIS M. O'BRIEN) PRESIDING

PRAYER

REV. LOUISE WILLIAMS BISHOP, member of the House of Representatives, offered the following prayer:

Let us pray:

Dear God, our Heavenly Father, Thou who has been our help in ages past, Thou who is our help now and in times to come, we bow humbly today before You to thank You for another opportunity to lift up Your name and to be of service to You and Your people in the Commonwealth of Pennsylvania. So as we stand, Father, just about to celebrate another birthday in just a few days of our nation, this great historic State, we are delighted and we thank You for this beautiful day that You have made and given unto us. We rejoice and we are glad in it and glad to be of service one more time.

We ask that You order our footsteps today. As we move through, show Your strength, show Your grace, show Your mercy, show Your harmony, and show Your peace, for You show Yourself in many different ways. Some of us know You as a heart mender and a heart fixer; some of us know You, God, as a provider in times of need for troubled people; some of us know You as a bridge over troubled waters, so we know and put our trust in You that whatever it is we do, we are ordered by You.

Bless each of us as we move today as always to do the best job we can do on behalf of Your people. And I ask, God, that You become a force of harmony today, that whatever we do will be in harmony with You and all of Your ways. Bless us now as we go forth to do the people's business in the House of Representatives. Bless us that we may become one on issues that are confronting us. Bless us that we not divide but that we be together in all of our ways. And we thank You. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by members and visitors.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Friday, June 29, 2007, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. Turning to leaves of absence, the Chair recognizes the majority whip. The majority whip requests that Representative SURRA from Elk County and Representative Matt SMITH from Allegheny County be placed on leave for the day. Without objection, these leaves will be granted.

The Chair recognizes the minority whip, who requests that Representative DALLY from Northampton County be put on leave for the day. Without objection, this leave will be granted.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll. Members will proceed to vote.

The following roll call was recorded:

PRESENT—200

Adolph	Gabig	Markosek	Roebuck
Argall	Galloway	Marshall	Rohrer
Baker	Geist	Marsico	Ross
Barrar	George	McCall	Rubley
Bastian	Gerber	McGeehan	Sabatina
Bear	Gergely	McI. Smith	Sainato
Belfanti	Gibbons	McIlhattan	Samuelson
Benninghoff	Gillespie	Melio	Santoni
Bennington	Gingrich	Mensch	Saylor
Beyer	Godshall	Metcalfe	Scavello
Biancucci	Goodman	Micozzie	Schroder
Bishop	Grell	Millard	Seip
Blackwell	Grucela	Miller	Shapiro
Boback	Haluska	Milne	Shimkus
Boyd	Hanna	Moul	Siptroth
Brennan	Harhai	Moyer	Smith, K.
Brooks	Harhart	Mundy	Smith, S.
Buxton	Harkins	Murt	Solobay
Caltagirone	Harper	Mustio	Sonney
Cappelli	Harris	Myers	Staback
Carroll	Helm	Nailor	Stairs
Casorio	Hennessey	Nickol	Steil
Causer	Hershey	O'Brien, M.	Stern
Civera	Hess	O'Neill	Stevenson
Clymer	Hickernell	Oliver	Sturla
Cohen	Hornaman	Pallone	Swanger
Conklin	Hutchinson	Parker	Tangretti
Costa	James	Pashinski	Taylor, J.
Cox	Josephs	Payne	Taylor, R.

Creighton	Kauffman	Payton	Thomas
Cruz	Keller, M.	Peifer	True
Curry	Keller, W.	Perry	Turzai
Cutler	Kenney	Perzel	Vereb
Daley	Kessler	Petrarca	Vitali
DeLuca	Killion	Petri	Vulakovich
Denlinger	King	Petrone	Wagner
DePasquale	Kirkland	Phillips	Walko
Dermody	Kortz	Pickett	Wansacz
DeWeese	Kotik	Preston	Waters
DiGirolamo	Kula	Pyle	Watson
Donatucci	Leach	Quigley	Wheatley
Eachus	Lentz	Quinn	White
Ellis	Levdansky	Ramaley	Williams
Evans, D.	Longietti	Rapp	Wojnaroski
Evans, J.	Mackereth	Raymond	Yewcic
Everett	Maher	Readshaw	Youngblood
Fabrizio	Mahoney	Reed	Yudichak
Fairchild	Major	Reichley	
Fleck	Manderino	Roae	O'Brien, D.,
Frankel	Mann	Rock	Speaker
Freeman	Mantz		

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Dally Smith, M. Surra

LEAVES ADDED—1

Ellis

LEAVES CANCELED—1

Smith, M.

The SPEAKER. A quorum being present, the House will proceed to conduct business.

**BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 1085, PN 1257 By Rep. JOSEPHS

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, prohibiting investments in countries identified as sponsors of terrorism.

STATE GOVERNMENT.

HB 1086, PN 1258 By Rep. JOSEPHS

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, prohibiting investments in corporations doing business in countries which sponsor terrorism.

STATE GOVERNMENT.

HB 1087, PN 1259 By Rep. JOSEPHS

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for prohibition of investments in countries identified as sponsors of terrorism.

STATE GOVERNMENT.

HB 1621, PN 2074 By Rep. JOSEPHS

An Act authorizing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease to VTE Philadelphia, LP, or its nominee, land within the bed of the Delaware River in the City of Philadelphia.

STATE GOVERNMENT.

HB 1627, PN 2080 By Rep. JOSEPHS

An Act authorizing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease to NCCB Associates, LP, or its nominee, land within the bed of the Delaware River in the City of Philadelphia.

STATE GOVERNMENT.

HB 1656, PN 2136 By Rep. JOSEPHS

An Act authorizing and directing the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to grant and convey to Skippack Township certain lands situate in Skippack Township, Montgomery County, in exchange for Skippack Township granting and conveying certain lands to the Commonwealth to be added to those existing lands at Evansburg State Park.

STATE GOVERNMENT.

SENATE MESSAGE

**HOUSE BILLS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 369, PN 1401; HB 635, PN 720; HB 1169, PN 1535; and HB 1228, PN 1513**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

**AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 10, PN 2168; HB 496, PN 2086; HB 778, PN 2167; and HB 1287, PN 2172**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HB 369, PN 1401

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for the payment of death benefits to members of emergency personnel teams.

HB 635, PN 720

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for meetings of auditors and for audit of accounts by auditors and financial report to Department of Community and Economic Development.

HB 1169, PN 1535

An Act designating the bridge carrying State Route 2073 over Plum Creek between the boroughs of Oakmont and Verona in Allegheny County as the Roger F. Duffy Viaduct.

HB 1228, PN 1513

An Act redesignating the Clarion River Bridge on Main Street in Ridgway, Elk County, as Rear Admiral Paul H. Speer Bridge.

SB 815, PN 909

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for underground storage tank environmental cleanup program and for underground storage tank pollution prevention program.

Whereupon, the Speaker, in the presence of the House, signed the same.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome, as guests of the Speaker, Phil Innamorato and Mike Assad. Phil is a student at Temple University with a political science major, and Mike is a student at Stockton University in New Jersey, also with a political science major. They are located to the left of the Speaker. Would you please rise and be recognized.

The Chair would also take great pleasure today to introduce to the members of the House his son, 7 years old, Brendan O'Brien. And with Brendan is his friend, Gavin Brady. They are going to be working as guest pages today. So do a good job, boys.

CALENDAR**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 847, PN 1443**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for eligibility and for qualifications; and providing for continuing professional development for school and system leaders and for Pennsylvania school leadership standards.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—200

Adolph	Gabig	Markosek	Roebuck
Argall	Galloway	Marshall	Rohrer
Baker	Geist	Marsico	Ross
Barrar	George	McCall	Rublely
Bastian	Gerber	McGeehan	Sabatina
Bear	Gergely	McI. Smith	Sainato
Belfanti	Gibbons	McIlhattan	Samuelson
Benninghoff	Gillespie	Melio	Santoni
Bennington	Gingrich	Mensch	Saylor
Beyer	Godshall	Metcalfe	Scavello
Biancucci	Goodman	Micozzie	Schroder
Bishop	Grell	Millard	Seip
Blackwell	Grucela	Miller	Shapiro
Boback	Haluska	Milne	Shimkus
Boyd	Hanna	Moul	Siptroth
Brennan	Harhai	Moyer	Smith, K.
Brooks	Harhart	Mundy	Smith, S.
Buxton	Harkins	Murt	Solobay
Caltagirone	Harper	Mustio	Sonney
Cappelli	Harris	Myers	Staback
Carroll	Helm	Nailor	Stairs
Casorio	Hennessey	Nickol	Steil
Causer	Hershey	O'Brien, M.	Stern
Civera	Hess	O'Neill	Stevenson
Clymer	Hickernell	Oliver	Sturla
Cohen	Hornaman	Pallone	Swanger
Conklin	Hutchinson	Parker	Tangretti
Costa	James	Pashinski	Taylor, J.
Cox	Josephs	Payne	Taylor, R.
Creighton	Kauffman	Payton	Thomas
Cruz	Keller, M.	Peifer	True
Curry	Keller, W.	Perry	Turzai
Cutler	Kenney	Perzel	Vereb
Daley	Kessler	Petrarca	Vitali
DeLuca	Killion	Petri	Vulakovich
Denlinger	King	Petrone	Wagner
DePasquale	Kirkland	Phillips	Walko
Dermody	Kortz	Pickett	Wansacz
DeWeese	Kotik	Preston	Waters
DiGirolamo	Kula	Pyle	Watson
Donatucci	Leach	Quigley	Wheatley
Eachus	Lentz	Quinn	White
Ellis	Levdansky	Ramaley	Williams
Evans, D.	Longietti	Rapp	Wojnaroski
Evans, J.	Mackereth	Raymond	Yewcic
Everett	Maher	Readshaw	Youngblood
Fabrizio	Mahoney	Reed	Yudichak
Fairchild	Major	Reichley	
Fleck	Manderino	Roae	O'Brien, D.,
Frankel	Mann	Rock	Speaker
Freeman	Mantz		

NAYS—0**NOT VOTING—0****EXCUSED—3**

Dally Smith, M. Surra

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

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The House proceeded to third consideration of **HB 902, PN 2111**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for applicability and uniformity of law and for disposition and use of liquid fuels and fuels tax.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—198

Adolph	Freeman	Mantz	Rock
Argall	Galloway	Markosek	Roebuck
Baker	Geist	Marshall	Rohrer
Barrar	George	Marsico	Ross
Bastian	Gerber	McCall	Rubley
Bear	Gergely	McGeehan	Sabatina
Belfanti	Gibbons	McI. Smith	Sainato
Benninghoff	Gillespie	McIlhattan	Samuelson
Bennington	Gingrich	Melio	Santoni
Beyer	Godshall	Mensch	Saylor
Biancucci	Goodman	Metcalfe	Scavello
Bishop	Grell	Micozzie	Seip
Blackwell	Grucela	Millard	Shapiro
Boback	Haluska	Miller	Shimkus
Boyd	Hanna	Milne	Siptroth
Brennan	Harhai	Moul	Smith, K.
Brooks	Harhart	Moyer	Smith, S.
Buxton	Harkins	Mundy	Solobay
Caltagirone	Harper	Murt	Sonney
Cappelli	Harris	Mustio	Staback
Carroll	Helm	Myers	Stairs
Casorio	Hennessey	Nailor	Steil
Causar	Hershey	Nickol	Stern
Civera	Hess	O'Brien, M.	Stevenson
Clymer	Hickernell	O'Neill	Sturla
Cohen	Hornaman	Oliver	Swanger
Conklin	Hutchinson	Pallone	Tangretti
Costa	James	Parker	Taylor, J.
Cox	Josephs	Pashinski	Taylor, R.
Creighton	Kauffman	Payne	Thomas
Cruz	Keller, M.	Payton	True
Curry	Keller, W.	Peifer	Turzai
Cutler	Kenney	Perry	Vereb
Daley	Kessler	Perzel	Vitali
DeLuca	Killion	Petrarca	Vulakovich
Denlinger	King	Petri	Wagner
DePasquale	Kirkland	Petrone	Walko
Dermody	Kortz	Phillips	Wansacz
DeWeese	Kotik	Pickett	Waters
DiGirolamo	Kula	Preston	Watson

Donatucci	Leach	Pyle	Wheatley
Eachus	Lentz	Quigley	White
Ellis	Levdansky	Quinn	Williams
Evans, D.	Longietti	Ramaley	Wojnarowski
Evans, J.	Mackereth	Rapp	Yewcic
Everett	Maher	Raymond	Youngblood
Fabrizio	Mahoney	Readshaw	Yudichak
Fairchild	Major	Reed	
Fleck	Manderino	Reichley	O'Brien, D.,
Frankel	Mann	Roae	Speaker

NAYS—2

Gabig Schroder

NOT VOTING—0

EXCUSED—3

Dally Smith, M. Surra

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise members that he has given permission to Carolyn Kaster of The Associated Press to take still photos on the House floor.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 233, PN 759**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Somerset County certain lands situate in Somerset Township, Somerset County.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

(Members proceeded to vote.)

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair acknowledges the presence of Representative Matt Smith on the floor. His name will be added to the master roll.

CONSIDERATION OF SB 233 CONTINUED

On the question recurring,

Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—201

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Samuelson
Belfanti	Gibbons	McIlhattan	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Mensch	Scavello
Beyer	Godshall	Metcalf	Schroder
Biancucci	Goodman	Micozzie	Seip
Bishop	Grell	Millard	Shapiro
Blackwell	Grucela	Miller	Shimkus
Boback	Haluska	Milne	Siptroth
Boyd	Hanna	Moul	Smith, K.
Brennan	Harhai	Moyer	Smith, M.
Brooks	Harhart	Mundy	Smith, S.
Buxton	Harkins	Murt	Solobay
Caltagirone	Harper	Mustio	Sonney
Cappelli	Harris	Myers	Staback
Carroll	Helm	Nailor	Stairs
Casorio	Hennessey	Nickol	Steil
Causar	Hershey	O'Brien, M.	Stern
Civera	Hess	O'Neill	Stevenson
Clymer	Hickernell	Oliver	Sturla
Cohen	Hornaman	Pallone	Swanger
Conklin	Hutchinson	Parker	Tangretti
Costa	James	Pashinski	Taylor, J.
Cox	Josephs	Payne	Taylor, R.
Creighton	Kauffman	Payton	Thomas
Cruz	Keller, M.	Peifer	True
Curry	Keller, W.	Perry	Turzai
Cutler	Kenney	Perzel	Vereb
Daley	Kessler	Petrarca	Vitali
DeLuca	Killion	Petri	Vulakovich
Denlinger	King	Petrone	Wagner
DePasquale	Kirkland	Phillips	Walko
Dermody	Kortz	Pickett	Wansacz
DeWeese	Kotik	Preston	Waters
DiGirolamo	Kula	Pyle	Watson
Donatucci	Leach	Quigley	Wheatley
Eachus	Lentz	Quinn	White
Ellis	Levdansky	Ramaley	Williams
Evans, D.	Longietti	Rapp	Wojnarowski
Evans, J.	Mackereth	Raymond	Yewcic
Everett	Maher	Readshaw	Youngblood
Fabrizio	Mahoney	Reed	Yudichak
Fairchild	Major	Reichley	
Fleck	Manderino	Roae	O'Brien, D., Speaker
Frankel	Mann	Rock	
Freeman	Mantz	Roebuck	

NAYS—0**NOT VOTING—0****EXCUSED—2**

Dally

Surra

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

GUESTS INTRODUCED

The SPEAKER. The Chair would also like to welcome Representative Yudichak's wife, Heather, and daughter, Sarah, who are in the rear of the House. Please step forward and be recognized. Welcome to the House.

The Chair would like to welcome Giovanni Garced, who is 18 years old and is currently a senior in high school. Giovanni is president of the National Art Honor Society. He plans to become a government relations specialist or public official, and he is the guest of Representative Curtis Thomas. Please stand. He is standing to the left of the Speaker. Please stand and be recognized. Welcome to the hall of the House.

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 221, PN 1260**, entitled:

An Act providing for the establishment of the Historic Preservation Incentive Grant Program for historic commercial and residential sites.

On the question,

Will the House agree to the bill on second consideration?

Bill was agreed to.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 86, PN 1250**, entitled:

An Act amending the act of May 2, 1947 (P.L.143, No.62), entitled "An act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement; providing for the licensing of persons reselling such tickets for profit; providing for the suspension and revocation of such licenses; imposing duties on licensees and owners or operators of places of amusement; imposing powers and duties on the Department of Revenue, county treasurers, district attorneys, and the receiver of taxes, and city solicitors in cities of the first class; making disposition of moneys collected and providing penalties," further providing for reselling of tickets and for printing prices on tickets.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

For what purpose does the gentleman rise?

Mr. MAHER. Thank you, Mr. Speaker.

It is good to see SB 86 up on the board now and available on the computer screens now. I would ask that given the gravity of the issues before us, I would ask that the Speaker ensure that before the question of whether any matter is going to be addressed by a member of this body is concluded, that the questions actually do go up on the board and appear on the computer screens in sync with your announcements, not on some sort of a delay, which defeats the ability for members to stay on top of the matters before us.

The SPEAKER. The Chair thanks the gentleman. The machine was just a little slow in getting it up on the board.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—201

Adolph	Gabig	Markosek	Rohrer
Argall	Galloway	Marshall	Ross
Baker	Geist	Marsico	Rubley
Barrar	George	McCall	Sabatina
Bastian	Gerber	McGeehan	Sainato
Bear	Gergely	McI. Smith	Samuelson
Belfanti	Gibbons	McIlhatten	Santoni
Benninghoff	Gillespie	Melio	Saylor
Bennington	Gingrich	Mensch	Scavello
Beyer	Godshall	Metcalfe	Schroder
Biancucci	Goodman	Micozzie	Seip
Bishop	Grell	Millard	Shapiro
Blackwell	Grucela	Miller	Shimkus
Boback	Haluska	Milne	Siptroth
Boyd	Hanna	Moul	Smith, K.
Brennan	Harhai	Moyer	Smith, M.
Brooks	Harhart	Mundy	Smith, S.
Buxton	Harkins	Murt	Solobay
Caltagirone	Harper	Mustio	Sonney
Cappelli	Harris	Myers	Staback
Carroll	Helm	Nailor	Stairs
Casorio	Hennessey	Nickol	Steil
Causar	Hershey	O'Brien, M.	Stern
Civera	Hess	O'Neill	Stevenson
Clymer	Hickernell	Oliver	Sturla
Cohen	Hornaman	Pallone	Swanger
Conklin	Hutchinson	Parker	Tangretti
Costa	James	Pashinski	Taylor, J.
Cox	Josephs	Payne	Taylor, R.
Creighton	Kauffman	Payton	Thomas
Cruz	Keller, M.	Peifer	True
Curry	Keller, W.	Perry	Turzai
Cutler	Kenney	Perzel	Vereb
Daley	Kessler	Petrarca	Vitali
DeLuca	Killion	Petri	Vulakovich
Denlinger	King	Petrone	Wagner
DePasquale	Kirkland	Phillips	Walko
Dermody	Kortz	Pickett	Wansacz
DeWeese	Kotik	Preston	Waters
DiGirolamo	Kula	Pyle	Watson
Donatucci	Leach	Quigley	Wheatley
Eachus	Lentz	Quinn	White
Ellis	Levdansky	Ramaley	Williams
Evans, D.	Longietti	Rapp	Wojnarowski
Evans, J.	Mackereth	Raymond	Yewcic
Everett	Maher	Readshaw	Youngblood
Fabrizio	Mahoney	Reed	Yudichak
Fairchild	Major	Reichley	

Fleck
Frankel
Freeman

Manderino
Mann
Mantz

Roae
Rock
Roebuck

O'Brien, D.,
Speaker

NAYS—0

NOT VOTING—0

EXCUSED—2

Dally

Surra

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

HOUSE SCHEDULE

RULES AND APPROPRIATIONS COMMITTEE MEETINGS

The SPEAKER. The Chair recognizes the majority leader, Representative DeWeese.

Mr. DeWEESE. Thank you very much, Mr. Speaker.

A scheduling announcement: An immediate meeting of the Rules Committee, immediate meeting of the Rules Committee in the majority caucus room, a 5 o'clock meeting of the Appropriations Committee in the majority caucus room, and we will recommence with our deliberations here at 5:15. Thank you.

The SPEAKER. There will be a Rules Committee meeting in the majority caucus room immediately. There is also an Appropriations Committee meeting in the majority caucus room at 5 o'clock.

LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes Representative Freeman for an announcement.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call an immediate meeting of the House Local Government Committee in room 39, East Wing. It will be a very brief meeting. We are just rereferring one piece of legislation, HB 1620, which we are hoping to rerefer to the Urban Affairs Committee. So I would urge the members of the Local Government Committee to please meet me in room 39, East Wing.

The SPEAKER. The Chair thanks the gentleman.

The Local Government Committee will have a brief meeting in room 39, East Wing.

Are there any further announcements?

STATEMENT BY MR. EACHUS

The SPEAKER. Without objection, under the provision of unanimous consent, the Chair recognizes Representative Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

You know, we are here doing the people's business, and all of us—

The SPEAKER. May we have the attention of the members, please.

Mr. EACHUS. Thank you, Mr. Speaker.

And we are here doing the people's business on a beautiful Saturday. We have work to do to get our job done. But I just wanted to say to my family at home, for my son Benjamin's high school graduation party, with all my family in northeastern Pennsylvania without me, it is very rarely that the people's business comes before my family business. I just wanted to send my love to them.

Ben, congratulations.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 364 By Representative DeWEESE

A Resolution authorizing temporary absentee voting for a member.

Referred to Committee on RULES, June 30, 2007.

The SPEAKER. Are there any further announcements? Any further announcements?

RECESS

The SPEAKER. This House will stand in recess until 5:15 p.m.

AFTER RECESS

The time of recess having expired, the House was called to order.

BILL REPORTED FROM COMMITTEE

HB 1620, PN 2073 By Rep. FREEMAN

An Act amending the act of December 20, 2000 (P.L.949, No.130), known as the Neighborhood Improvement District Act, further providing for creation of neighborhood improvement district management associations.

LOCAL GOVERNMENT.

BILL REREFERRED

The SPEAKER. The Chair moves, at the request of the majority leader, that HB 1620, PN 2073, be rereferred to the Urban Affairs Committee.

On the question,
Will the House agree to the motion?
Motion was agreed to.

The SPEAKER. Without objection, the bill will be so rereferred.

BILLS REREPORTED FROM COMMITTEE

HB 27, PN 52 By Rep. DeWEESE

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, providing for witness relocation.

RULES.

HB 823, PN 2097 By Rep. DeWEESE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing, in child protective services, for definitions, for immunity from liability, for release of information in confidential reports, for studies of data in records, for investigating performance of county agencies, for citizen review panels, for child abuse services and for reporting.

RULES.

HB 1130, PN 2132 By Rep. DeWEESE

An Act amending the act of April 21, 1949 (P.L.665, No.155), known as the First Class City Home Rule Act, providing for campaign report format.

RULES.

HB 1140, PN 2018 By Rep. DeWEESE

An Act prohibiting the investment of State funds in certain private business entities doing business in Sudan; and providing indemnification to certain persons.

RULES.

HB 1230, PN 2098 By Rep. DeWEESE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for publication of delinquent support obligors.

RULES.

HB 1610, PN 2126 By Rep. DeWEESE

An Act amending the act of July 9, 1990 (P.L.340, No.78), known as the Public Safety Emergency Telephone Act, further defining "contribution rate"; and further providing for county plan and expenditures.

RULES.

The SPEAKER. These bills will be placed on the supplemental calendar.

BILL REREPORTED FROM COMMITTEE

HB 1656, PN 2136 By Rep. DeWEESE

An Act authorizing and directing the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to grant and convey to Skippack Township certain lands situate in Skippack Township, Montgomery County, in exchange for Skippack Township granting and

conveying certain lands to the Commonwealth to be added to those existing lands at Evansburg State Park.

RULES.

The SPEAKER. This bill will be placed on the active calendar.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 496, PN 2086

By Rep. DeWEESE

An Act amending the act of July 10, 1984 (P.L.688, No.147), known as the Radiation Protection Act, further providing for definitions, for licensing and registration fees, for powers of Environmental Quality Board, for nuclear facility and transport fees, for creation of special funds, for response program and for transportation of radioactive materials; and making repeals.

RULES.

The SPEAKER. This bill will be placed on the active calendar.

GUESTS INTRODUCED

The SPEAKER. The Chair would like to welcome to the House Kate Smith Young, John Young, Lydia Young, who are the guests of Representative Barb McIlvaine Smith. They are to the left of the Speaker. Please stand and be recognized, and welcome to the House.

This is your family; this is your daughter. Would you like to add to the introduction, Representative Smith?

Ms. McILVAINE SMITH. Thank you.

It is my daughter, Kate; my granddaughter, who is 3, Lydia; and my son-in-law, John. Thank you so much for coming and sharing this afternoon with me, all 15 minutes of it.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 881, PN 1978

By Rep. DeWEESE

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for killing game or wildlife to protect property, for provisions relating to unlawful devices and methods and for exceptions to unlawful use of lights while hunting.

RULES.

HB 1286, PN 1983

By Rep. DeWEESE

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2007, to June 30, 2008, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund and the Tobacco Settlement Fund to the Executive Department; to provide appropriations from the

Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2007, to June 30, 2008; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2007, to June 30, 2008, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2007; to provide for the additional appropriation of Federal and State funds from the General Fund, the State Lottery Fund and the Pharmaceutical Assistance Contract for the Elderly Fund for the Executive, Legislative and Judicial Departments of the Commonwealth for the fiscal year July 1, 2006, to June 30, 2007, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2006.

RULES.

HB 1287, PN 2172

By Rep. DeWEESE

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2007, to June 30, 2008, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007.

RULES.

HB 1367, PN 2087

By Rep. DeWEESE

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for medical assistance payments for institutional care; providing for pharmaceutical and therapeutics committee; further providing for definitions, for authorization, for amount, for repayment, for regulations and for time periods; and providing for the Senior Care and Services Study Commission.

RULES.

The SPEAKER. These bills will be placed on the supplemental calendar.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to requests for leaves of absence. Without objection, Representative ELLIS will be placed on leave for the remainder of the day. The Chair hears no objection.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 728, PN 1233

By Rep. D. EVANS

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for Commonwealth employees group life insurance; further providing, in budget implementation, for the State System of Higher Education; providing for general budget implementation and for 2007-2008 budget implementation and restrictions on appropriations for funds and accounts; and making a related repeal.

APPROPRIATIONS.

BILLS REREPORTED FROM COMMITTEE**HB 71, PN 2163** By Rep. D. EVANS

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, providing for notice to school district; and further providing for application for final approval.

APPROPRIATIONS.

HB 169, PN 2164 By Rep. D. EVANS

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions, for permitted games of chance, for prize limits, for insured games, for limited sales, for recordkeeping, for eligible organizations' use of locations for conducting small games of chance, for separate individual prize limitations and for advertising.

APPROPRIATIONS.

HB 432, PN 500 By Rep. D. EVANS

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey to the Borough of Mansfield certain lands situate in the Borough of Mansfield, Tioga County.

APPROPRIATIONS.

HB 684, PN 2165 By Rep. D. EVANS

An Act providing for the establishment of an automotive fuel testing and disclosure program, for standards for automotive fuel and for inspection, sampling and testing of automotive fuel; imposing powers and conferring duties on the Department of Agriculture; establishing the Octane Testing Account; and providing for penalties.

APPROPRIATIONS.

HB 894, PN 2110 By Rep. D. EVANS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for referendum or public hearing required prior to construction or lease and for approved reimbursable rental for certain leases and approved reimbursable sinking fund charges on indebtedness.

APPROPRIATIONS.

HB 1529, PN 1991 By Rep. D. EVANS

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, further providing for film production grants; and requiring a report.

APPROPRIATIONS.

HB 1573, PN 2113 By Rep. D. EVANS

An Act establishing the Pennsylvania Center for Health Careers and the Health Careers Leadership Council.

APPROPRIATIONS.

HB 1589, PN 2181 (Amended)

By Rep. D. EVANS

An Act providing for the capital budget for the fiscal year 2007-2008; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, Motor License Fund projects, State forestry bridge projects, Manufacturing Fund projects and federally funded projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects, for special provisions for certain redevelopment assistance capital projects and for preemption of local ordinances for Department of Corrections projects; and making appropriations.

APPROPRIATIONS.

SB 116, PN 1271 (Amended)

By Rep. D. EVANS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the adoption of guidelines for fines; further providing for exemptions from jury duty and for selection of prospective jurors; providing for statewide jury information system; and further providing for no limitation applicable.

APPROPRIATIONS.

The SPEAKER. These bills will be placed on the supplemental calendar.

SUPPLEMENTAL CALENDAR C**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 1367, PN 2087**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for medical assistance payments for institutional care; providing for pharmaceutical and therapeutics committee; further providing for definitions, for authorization, for amount, for repayment, for regulations and for time periods; and providing for the Senior Care and Services Study Commission.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. Representative DeWeese requests that the House concur in the amendments made by the Senate.

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—173

Adolph	George	Marsico	Sainato
Argall	Gerber	McCall	Samuelson
Baker	Gergely	McGeehan	Santoni
Barrar	Gibbons	McI. Smith	Saylor
Bear	Gingrich	McIlhattan	Scavello
Belfanti	Godshall	Melio	Schroder
Bennington	Goodman	Mensch	Seip
Beyer	Grell	Micozzie	Shapiro
Biancucci	Grucela	Millard	Shimkus
Bishop	Haluska	Miller	Siptroth
Blackwell	Hanna	Moul	Smith, K.
Boback	Harhai	Moyer	Smith, M.
Brennan	Harkins	Mundy	Smith, S.
Brooks	Harper	Murt	Solobay
Buxton	Harris	Myers	Sonney
Caltagirone	Helm	Nailor	Staback
Cappelli	Hennessey	Nickol	Stairs
Carroll	Hershey	O'Brien, M.	Steil
Casorio	Hickernell	O'Neill	Stern
Causar	Hornaman	Oliver	Sturla
Civera	James	Pallone	Swanger
Clymer	Josephs	Parker	Tangretti
Cohen	Kauffman	Pashinski	Taylor, J.
Conklin	Keller, M.	Payne	Taylor, R.
Costa	Keller, W.	Payton	Thomas
Cruz	Kenney	Peifer	True
Curry	Kessler	Perzel	Vereb
Cutler	Killion	Petrarca	Vitali
Daley	King	Petri	Vulakovich
DeLuca	Kirkland	Petrone	Wagner
DePasquale	Kortz	Phillips	Walko
Dermody	Kotik	Pickett	Wansacz
DeWeese	Kula	Preston	Waters
DiGirolamo	Leach	Quigley	Watson
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Evans, D.	Longietti	Rapp	Williams
Fabrizio	Mackereth	Raymond	Wojnaroski
Fairchild	Mahoney	Readshaw	Youngblood
Frankel	Major	Rock	Yudichak
Freeman	Manderino	Roebuck	
Gabig	Mann	Ross	O'Brien, D., Speaker
Galloway	Markosek	Rubley	
Geist	Marshall	Sabatina	

NAYS—27

Bastian	Everett	Mantz	Reichley
Benninghoff	Fleck	Metcalfe	Roe
Boyd	Gillespie	Milne	Rohrer
Cox	Harhart	Mustio	Stevenson
Creighton	Hess	Perry	Turzai
Denlinger	Hutchinson	Pyle	Yewcic
Evans, J.	Maher	Reed	

NOT VOTING—0

EXCUSED—3

Dally	Ellis	Surra
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. The House will be at ease for a moment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HB 1367, PN 2087

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for medical assistance payments for institutional care; providing for pharmaceutical and therapeutics committee; further providing for definitions, for authorization, for amount, for repayment, for regulations and for time periods; and providing for the Senior Care and Services Study Commission.

Whereupon, the Speaker, in the presence of the House, signed the same.

SUPPLEMENTAL CALENDAR B

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 71, PN 2163**, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, providing for notice to school district; and further providing for application for final approval.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

The Chair recognizes Representative Maher.

Before the gentleman speaks, the House will ask members to please hold their conversations to a minimum. The Chair thanks the House for the cooperation.

Representative Maher.

Mr. MAHER. Mr. Speaker, I just hope that in your speed to record votes, that you would pause long enough so that the members could see the content of the bill, even for 30 seconds or so, before rolling to a vote, and perhaps whoever is the sponsor on this can provide a bit of refreshment to our memories of the content.

The SPEAKER. Representative Grucela will offer an explanation.

Mr. GRUCELA. Thank you, Mr. Speaker.

Mr. Speaker, for the benefit of the gentleman from Allegheny County and others, this is a bill that has passed the chamber in previous sessions both as a bill and as an amendment. It is especially important for those of us in growing school districts. It was suggested to me many years ago by a school superintendent who woke up in the morning and in reading the paper found out there was a 250-home development

in his particular district. Had he not seen the paper, he probably would have never known about it. This bill requires that local governments would notify school districts when these developments have been approved and are basically ready to go. In that way, your school districts can adequately plan for classrooms, staff, et cetera.

So it is a bill that has been around for a while. It is a bill that has been negotiated. My friend, the Representative from York County, had a good amendment that was added the other day.

So I would ask, especially those of us in growing school districts, we would ask, or I would personally ask for your support on this particular bill. Thank you, Mr. Speaker.

The SPEAKER. Representative Maher.

Mr. MAHER. I very much appreciate the explanation, and just one follow-on question. The amendments that were considered earlier this week, did that remove the provisions for this economic assessment that had to be reported monthly?

Mr. GRUCELA. Yes.

Mr. MAHER. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—200

Adolph	Galloway	Marshall	Rohrer
Argall	Geist	Marsico	Ross
Baker	George	McCall	Rubley
Barrar	Gerber	McGeehan	Sabatina
Bastian	Gergely	McI. Smith	Sainato
Bear	Gibbons	McIlhattan	Samuelson
Belfanti	Gillespie	Melio	Santoni
Benninghoff	Gingrich	Mensch	Saylor
Bennington	Godshall	Metcalfe	Scavello
Beyer	Goodman	Micozzie	Schroder
Biancucci	Grell	Millard	Seip
Bishop	Grucela	Miller	Shapiro
Blackwell	Haluska	Milne	Shimkus
Boback	Hanna	Moul	Siptroth
Boyd	Harhai	Moyer	Smith, K.
Brennan	Harhart	Mundy	Smith, M.
Brooks	Harkins	Murt	Smith, S.
Buxton	Harper	Mustio	Solobay
Caltagirone	Harris	Myers	Sonney
Cappelli	Helm	Nailor	Staback
Carroll	Hennessey	Nickol	Stairs
Casorio	Hershey	O'Brien, M.	Steil
Causar	Hess	O'Neill	Stern
Civera	Hickernell	Oliver	Stevenson
Clymer	Hornaman	Pallone	Sturla
Cohen	Hutchinson	Parker	Swanger
Conklin	James	Pashinski	Tangretti
Costa	Josephs	Payne	Taylor, J.
Cox	Kauffman	Payton	Taylor, R.
Creighton	Keller, M.	Peifer	Thomas
Cruz	Keller, W.	Perry	True
Curry	Kenney	Perzel	Turzai
Cutler	Kessler	Petrarca	Vereb
Daley	Killion	Petri	Vitali
DeLuca	King	Petrone	Vulakovich
Denlinger	Kirkland	Phillips	Wagner
DePasquale	Kortz	Pickett	Walko
Dermody	Kotik	Preston	Wansacz
DeWeese	Kula	Pyle	Waters

DiGirolamo
Donatucci
Eachus
Evans, D.
Evans, J.
Everett
Fabrizio
Fairchild
Fleck
Frankel
Freeman
Gabig

Leach
Lentz
Levdansky
Longiotti
Mackereth
Maher
Mahoney
Major
Manderino
Mann
Mantz
Markosek

Quigley
Quinn
Ramaley
Rapp
Raymond
Readshaw
Reed
Reichley
Roae
Rock
Roebuck

Watson
Wheatley
White
Williams
Wojnarowski
Yewcic
Youngblood
Yudichak
O'Brien, D.,
Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Dally

Ellis

Surra

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

CALENDAR CONTINUED

BILL ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1530, PN 1876**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in restructuring of electric utility industry, further providing for declaration of policy and for duties of electric distribution companies.

On the question,

Will the House agree to the bill on second consideration?

Mr. **GODSHALL** offered the following amendment No. **A01774**:

Amend Sec. 2 (Sec. 2807), page 4, line 18, by striking out "30" and inserting

90

Amend Sec. 2 (Sec. 2807), page 4, line 19, by striking out "30" and inserting

90

On the question,

Will the House agree to the amendment?

AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER. On the amendment, the Chair recognizes Representative Godshall.

This amendment will go over temporarily.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **REICHLEY** offered the following amendment No. **A01798**:

Amend Sec. 2 (Sec. 2807), page 4, by inserting between lines 22 and 23

(6) At their option, residential customers and small business customers with up to 25 kW in maximum registered demand that take service from a default service provider shall be permitted to phase in the initial increase in the price for generation service implemented upon the expiration of the caps on their electric distribution company's rates for electric generation service if such increase is greater than 25% of such electric distribution company's total rate applicable to such customers. Any such phase-in shall be subject to the following:

(i) The phase-in period shall not exceed three years in length and the deferred amount shall be recovered evenly over that phase-in period.

(ii) The default service provider shall fully recover, by means of a nonbypassable charge to customers that elect to participate in the phase-in period, any costs deferred under the phase-in, together with full carrying charges thereon, over a period of not more than three years. The commission shall permit such deferred costs and associated carrying charges to be recorded for accounting purposes on an electric distribution company's books of account as a regulatory asset where the electric distribution company is the default service provider.

(iii) Carrying charges on the deferred balance associated with the phase-in shall be accrued at the overall rate of return determined in the electric distribution company's most recent base rate case before the commission. Carrying charges shall be compounded annually.

(iv) An electric distribution company's right to recover costs deferred under a phase-in plan and associated carrying charges shall be deemed intangible transition property for purposes of section 2812 (relating to approval of transition bonds), but not for any other provision of this chapter, and the commission is authorized to issue a qualified rate order under section 2812 with respect to such deferred costs and associated carrying charges and to issue such other orders and take such actions as may be necessary or proper for the electric distribution company to issue transition bonds as provided in section 2812 secured by the electric distribution company's right to recover deferred costs and carrying charges.

On the question,
Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. On the amendment, the Chair recognizes Representative Reichley.

The gentleman indicates that this amendment is withdrawn. The Chair thanks the gentleman.

On the question recurring,
Will the House agree to the bill on second consideration?

Mr. **McGEEHAN** offered the following amendment No. **A01886**:

Amend Title, page 1, line 3, by inserting after "industry," providing for duties of property owners in cities of the first class prior to installation of electric service; and

Amend Bill, page 1, lines 7 through 9, by striking out all of said lines and inserting

Section 1. Title 66 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 1512. Duty of property owners in cities of the first class prior to installation of electric service.

In cities of the first class, real property owners who request that a public utility install an additional electric meter to measure the amount of electricity used in either a portion or the whole of their property shall first provide verifiable proof that the dwelling in which the additional meter will be installed complies with the relevant local zoning requirements regarding single and multifamily use of real property.

Section 2. Section 2802(6) of Title 66 is amended and the section is amended by adding a paragraph to read:

Amend Sec. 2, page 2, line 16, by striking out "2" and inserting
3

Amend Sec. 3, page 4, line 23, by striking out "3" and inserting
4

On the question,
Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative McGeehan on the amendment.

Mr. McGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, the amendment on this bill seeks to address a problem that we have in Philadelphia, a problem of blight, in that many of these single-family dwellings are being illegally converted to multifamily dwellings, and this amendment seeks to limit them by requiring persons who wish additional electric service provide the proper zoning as proof that a single-family dwelling is in fact a single-family dwelling or a multifamily dwelling is a multifamily dwelling.

AMENDMENT WITHDRAWN

Mr. McGEEHAN. Mr. Speaker, in discussions with the prime sponsor and the chairman of the Urban Affairs Committee, they agree to move this as a freestanding bill, and I withdraw the amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Will the House agree to the bill on second consideration?

The clerk read the following amendment No. **A01774**:

Amend Sec. 2 (Sec. 2807), page 4, line 18, by striking out "30" and inserting

90

Amend Sec. 2 (Sec. 2807), page 4, line 19, by striking out "30" and inserting

90

On the question recurring,
Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. Representative Godshall, on the amendment.

Mr. GODSHALL. Thank you, Mr. Speaker.

That amendment was withdrawn, or will be withdrawn. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Is it the intention of Representative Reichley to withdraw amendments A01908 and A01924? They are withdrawn? The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **DERMODY** offered the following amendment No. **A02122**:

Amend Sec. 2 (Sec. 2807), page 3, line 18, by inserting after "assets."

If a portfolio includes a bilateral contract or the generation of electricity with the assets of the electric distributed company or commission-approved alternative supplier, the commission shall ensure that the contract or generation is the lowest cost option.

Amend Sec. 2 (Sec. 2807), page 3, line 25, by inserting after "customers."

The procurement process to secure electricity shall be conducted by customer class as determined and approved by the commission. The generation rates resulting from the procurement process may not allow the cross-subsidization of one customer class by another.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. On the amendment, the Chair recognizes Representative Dermody.

Mr. **DERMODY**. Thank you, Mr. Speaker.

Mr. Speaker, I would like to withdraw all my amendments except for 2470.

The SPEAKER. 2470?

Mr. **DERMODY**. Yes. 2470 I would like to run.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. **DERMODY** offered the following amendment No. **A02470**:

Amend Title, page 1, line 3, by striking out "declaration of policy and for"

Amend Bill, page 1, lines 7 through 17; page 2, lines 1 through 17, by striking out all of said lines on said pages and inserting

Section 1. Section 2807(e) of Title 66 of the Pennsylvania Consolidated Statutes is amended to read:

Amend Sec. 2 (Sec. 2807), page 3, line 6, by inserting after "(3)"

(i)

Amend Sec. 2 (Sec. 2807), page 3, lines 10 and 11, by striking out the bracket before "at" line 10 and after "prices" in line 11

Amend Sec. 2 (Sec. 2807), page 3, lines 12 through 25, by striking out all of said lines and inserting

reasonable costs. The electric distribution company or commission-approved supplier shall adjust rates at appropriate intervals as determined by the commission. The electric energy acquired under this paragraph shall be procured through competitive procurement processes that may include one or more of the following:

(A) Auctions.

(B) Requests for proposal.

(C) Bilateral contracts negotiated

between the electric distribution company or commission-approved alternative supplier and a wholesale electric supplier, except that the bilateral contracts shall be entered into at the sole discretion of the electric distribution company or commission-approved alternative supplier and the commission shall have no authority to require the contracts and shall be at prices no greater than reasonable forward market prices.

(ii) The commission shall not modify contracts or disallow costs associated with contracts entered into pursuant to an approved competitive procurement process. Prices obtained through the competitive procurement processes shall be deemed to be prevailing market prices. The resources procured pursuant to this paragraph may reflect a mix of long-term, short-term and spot market purchases.

Amend Sec. 2 (Sec. 2807), page 4, lines 1 through 22, by striking out all of said lines and inserting

(5) (i) Notwithstanding paragraph (3), the electric distribution company or commission-approved alternative supplier may, in its sole discretion, offer large customers with a peak demand of 15 megawatts or greater at one meter at a location in its service territory any negotiated rate for service at all of the customers' locations within the service territory for any duration agreed upon by the electric distribution company or commission-approved alternative supplier and the large customer. The commission shall permit, but shall not require, an electric distribution company or commission-approved alternative supplier to provide service to large customers under this paragraph. Contract rates entered into under this paragraph shall be subject to review by the commission in order to ensure that all costs related to the rates are borne by the parties to the contract and that no costs related to the rates are borne by other customers or customer classes. If no costs related to the rates are borne by other customers or customer classes, the commission shall approve the contract within 90 days of its filing or it shall be deemed approved by operation of law upon expiration of the 90 days. Information submitted under this paragraph shall be subject to the commission's procedures for the filing of confidential and proprietary information.

(ii) For purposes of providing service under this paragraph to customers with a peak demand of 20 megawatts or greater at one meter at a location within that distribution company's service territory, an electric distribution company that has completed its restructuring transition period as of the effective date of this paragraph may, in its sole discretion, acquire an interest in a generation facility or construct a generation facility specifically to meet the energy requirements of the customers including the electric requirements of the customers' other billing locations within its service territory. The electric distribution company must commence construction of the generation facility or

contract to acquire the generation interest within three years after the effective date of this paragraph, except that the electric distribution company may add to the generation facilities it commenced construction or contracted to acquire after this three-year period to serve additional load of customers for whom it commenced construction or contracted to acquire generation within three years. Nothing in this paragraph requires or authorized the commission to require an electric distribution company to commence construction or acquire an interest in a generation facility. The electric distribution company's interest in the generation facility it built or contracted to acquire shall be no larger than necessary to meet peak demand of customers served under this subparagraph. During times when the customer's demand is less than the electric distribution company's generation interest, the electric distribution company may sell excess power on the wholesale market. At no time shall the costs associated with the generating facility interests be included in rate base or otherwise reflected in rates. The generation facility interests shall not be commission-regulated assets.

On the question,
Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Dermody on the amendment.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, this is an amendment that has been worked on very hard throughout this whole week for HB 1530, and it is agreed to by most everybody who has an interest in this issue, and frankly, we all should have an interest in this issue because what this amendment does is preserve manufacturing in western Pennsylvania and really eventually all of Pennsylvania. What it does, it allows large industrial users of electricity to negotiate long-term contracts with the electric utilities. It allows them to do that throughout the State. What it also does is allow a utility to go back, go into generation, to supply those large industrial users.

In western Pennsylvania the rate caps have come off, as they will throughout all of Pennsylvania, and as those rate caps have come off, large industrial users have seen their rates go up 40 to 50 percent. We cannot have that and maintain the manufacturing we have right now in Allegheny County and western Pennsylvania, and eventually it will have a devastating effect on manufacturing throughout Pennsylvania. This will give our utilities and our businesses, our manufacturers, the opportunity to survive, and I would urge the members to vote for it.

The SPEAKER. Will the House agree to the amendment?
Representative Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

The SPEAKER. The gentleman indicates that he will. The gentleman is in order and may proceed with his interrogation.

Mr. VITALI. Thank you, Mr. Speaker.

And at the outset I have to concede I am totally over my head with all of this stuff. But I have some concerns here. I want to make sure that this is not anticonsumer, and I see some language in here that I am trying to understand, and it is on page 2, starting with line 4, where it says, "The commission," which is the Public Utility Commission, "shall not modify

contracts or disallow costs associated with contracts entered into pursuant to an approved competitive procurement process." And then I see some other language on page 1 where it talks about, on line 30 where it says, "...the commission," again, the Public Utility Commission, "shall have no authority to require the contracts and shall be at prices no greater than reasonable forward market prices."

My question is, does this legislation in any way restrict the right of the PUC, Pennsylvania Utility Commission, to keep the lid on costs or charges or anything that might affect prices consumers pay for utility bills?

Mr. DERMODY. It does not affect what the rates would be for consumers. They would not be involved in the bilateral contracts negotiated between the large industrial users and the utility.

Mr. VITALI. Does this affect, does this curtail, does this legislation curtail the authority of the Public Utility Commission?

Mr. DERMODY. Yes, with regards to the bilateral contracts, yes.

Mr. VITALI. What is the purpose here of curtailing the right of the Public Utility Commission?

Mr. DERMODY. What this bill does is allow two willing people, two willing, a supplier and an industrial user, to negotiate a deal on a long term, which the PUC does not allow them to do today. In that sense our large industrial users will negotiate the deal and that will be the contract.

Mr. VITALI. But why are we limiting the right of the public utility to regulate this? Is there some need or— I am just trying to get at why, because I thought that one of the roles of the Public Utility Commission, because you do have this, you know, monopolistic or oligopolistic market, they are here to protect the consumer, why are we restricting their ability here?

Mr. DERMODY. All we are doing here is allowing long-term contracts to be negotiated between two willing parties. It has no impact on residential users.

Mr. VITALI. Okay. Again, this past week or two has been a blur, but I do not want to— I might be confusing bills, so correct me if I am confusing bills. But I remember when I was reading the summary of this, of some bill, I called the Consumer Advocate's Office, Mr. Popowsky. He has a concern about some bill on this calendar, and I am sensing it may be this one, or I could be wrong; I could be wrong. Does the Office of Consumer Advocate, have they reviewed this and either endorsed it or not endorsed it?

Mr. DERMODY. I have not heard from him, and I can also suggest to you, which I should have stated earlier, is that the PUC does not have authority over those contracts right now.

The SPEAKER. If the gentleman will pause for a moment.

The House is entirely too noisy. Members will hold their conversations to a minimum.

Representative Vitali.

Mr. VITALI. Thank you. That concludes my interrogation.

The SPEAKER. Representative Ross.

Mr. ROSS. Thank you, Mr. Speaker.

And although there are some elements in this legislation and in this amendment that I can agree to, there is a fundamental sea change being offered here which I do not agree with and I think is a bad idea, and that is the option that is being created here of getting electric distribution companies, which are regulated entities that are designed to make sure that we have transmission services and distribution services properly

provided for to every resident of this State, and that whole process is being regulated and overseen by the Public Utility Commission, getting into the business of power generation. I see no reason why they should. I see plenty of ways that this proposed idea could have been put forward either by the industrial users themselves or by third-party generating facilities, that are plentiful in the State right now, to do the kind of new generation capacity that is being asked for, and those contracts could have been set up currently under existing law. We do not need to change the law to provide alternative generation capacity for the industrial customers that is being described.

So the only change here is that we are getting the regulated electric distribution companies into the game of generation, which is a reversal of what we attempted to do with deregulation. Now, generation is a risky proposition. The transmission and distribution is something that is handled logically through rate cases before the Public Utility Commission. We can properly determine what is needed in distribution and project that forward. By having these side agreements and also by having independent generation going on in the electric distribution companies, we risk the possibility of having problems for the electric distribution company. And if they get into trouble because of the games working with and the contracts and other generation aspects, which is a volatile market, those distribution companies could get into financial distress, and if they do, logically, they will be coming back to the General Assembly and the government hoping to save their operations in the areas where we are expected to provide electric power.

I think this is a bad idea, and because of this aspect being added to this particular amendment and ultimately to the bill, I am going to be a "no" vote, and I urge my colleagues to vote "no."

The SPEAKER. Representative Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

I applaud the maker of the amendment and also the sponsor, the prime sponsor of the bill, for this legislation.

Particularly this amendment that we are talking about at the present time, there was an impasse obviously between the large steel industry, the large manufacturers, and the utilities in the Commonwealth. And you know, sometimes we can get together, after sitting down and maybe a long discussion, resolve our differences, and as a result, utilities are benefiting because it makes it voluntary, and they will be able to protect the consumers and the small businesses. And the manufacturing community, it meets their concerns because we have heard a number of times by some of the large steel manufacturers that if they do not get a special rate or not be able to work out a special electric contract in the dealings, that their expansion is going to be out of Pennsylvania. So we are solving economic development, preserving jobs, and in the meantime doing what I think is right.

So I applaud this effort to bring these two sides together, and I believe Pennsylvania is going to be a winner, and it shows that we can work out our differences. Thank you, Mr. Speaker.

The SPEAKER. Are there any other members seeking recognition?

Representative Turzai.

Mr. TURZAI. Thank you, Mr. Speaker.

I applaud all the interested parties, both generation companies, utilities, business, the corporations, and industrial

users, for coming together on a compromise that all parties can agree with. For many of us, with respect to jobs, the industrial users were seeking some type of a compromise, and the parties came together and reached that.

We appreciate the hard work of everybody involved. We appreciate the hard work of Leader Smith and Leader McCall in getting that compromise reached, and we would ask everybody to vote in favor. Thank you.

The SPEAKER. Representative Pyle.

Mr. PYLE. Thank you, Mr. Speaker.

Much of the livelihood of the Alle-Kiski Valley of Armstrong County depends on this amendment. I stand in support.

If you would look at the hit sheet we have got on the Dermody amendment, I would be glad to read all the people supporting this bill, Mr. Speaker, but owing the time, suffice it to say, it fills the whole backside of a sheet.

Again, I would appreciate a positive vote. Thank you.

The SPEAKER. Representative Kortz.

Mr. KORTZ. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this proposed legislation, and I want to commend my colleagues from Allegheny County who have brought this to the table. This legislation is going to address a volatility in the energy needs for our industrial customers. I have come from the industry into this body politic. I saw firsthand how that volatility impacted the business in a negative way. Last summer we had to shut down sections of our steel plant so that we could ride out the storm of the volatility again.

This is important. We cannot allow the negative effects of this to undermine our industrial users. It is negative to the production, productivity, efficiency, reliability, and the ultimate profit of these businesses and jobs. And speaking of jobs, why this is so important, there is a large steel company in Beaver County, Allegheny Technologies, who is interested in building a brand-new \$750 million hot mill. I want to repeat that: \$750 million hot mill. They will employ well over 100 people with very good salaries, from \$50,000 to \$80,000 a year. That is a lot of money. That is a lot of jobs. There is also another steel company, Latrobe, that wants to put in an electric arc furnace, large consumer of electricity. Again, a lot of jobs. Both of these companies want this to happen or they have already expressed an interest in going to Kentucky. Now, I do not know about you, but I want those jobs here in Pennsylvania, not Kentucky.

And I want to read a letter to the editor from the chairman of ATI (Allegheny Technologies Inc.), and I will just be very brief with it and a couple things that he stated in here. And this was on June 27 to the Post-Gazette. "H.B. 1530 is supported by industry, manufacturing and organized labor because failing to act will at a minimum chill and perhaps even kill capital investment, lead to reductions in industrial operations and accelerate manufacturing job losses across Pennsylvania." That is unacceptable. "Allegheny Technologies wants to invest and grow jobs in Pennsylvania. But the high price of electricity for industrial consumers here is leading us to consider making investments elsewhere." That elsewhere, Mr. Speaker, is in Kentucky. We have to keep them here.

I would ask for an affirmative vote on this bill. Thank you.

The SPEAKER. Representative Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, in closing, I would just like to say thank you once again to all the interested parties who worked so hard this week to put together an amendment that we could agree on, that would work and save manufacturing in western Pennsylvania and the rest of this Commonwealth. So once again, thank you very much, and I urge the members to please vote "yes."

On the question recurring,
Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

Adolph	Galloway	Markosek	Roebuck
Argall	Geist	Marshall	Rohrer
Baker	George	Marsico	Rubley
Barrar	Gerber	McCall	Sabatina
Bastian	Gergely	McGeehan	Sainato
Bear	Gibbons	McI. Smith	Samuelson
Belfanti	Gillespie	McIlhattan	Santoni
Benninghoff	Gingrich	Melio	Saylor
Bennington	Godshall	Mensch	Scavello
Beyer	Goodman	Metcalfe	Schroder
Biancucci	Grell	Micozzie	Seip
Bishop	Grucela	Millard	Shapiro
Blackwell	Haluska	Miller	Shimkus
Boback	Hanna	Milne	Siptroth
Boyd	Harhai	Moul	Smith, K.
Brennan	Harhart	Moyer	Smith, M.
Brooks	Harkins	Mundy	Smith, S.
Buxton	Harper	Murt	Solobay
Caltagirone	Harris	Mustio	Sonney
Cappelli	Helm	Myers	Staback
Carroll	Hennessey	Nailor	Stairs
Casorio	Hershey	Nickol	Steil
Causar	Hess	O'Brien, M.	Stern
Civera	Hickernell	O'Neill	Stevenson
Clymer	Hornaman	Oliver	Sturla
Cohen	Hutchinson	Pallone	Swanger
Conklin	James	Parker	Tangretti
Costa	Josephs	Pashinski	Taylor, J.
Cox	Kauffman	Payne	Taylor, R.
Creighton	Keller, M.	Payton	Thomas
Cruz	Keller, W.	Peifer	True
Curry	Kenney	Perry	Turzai
Cutler	Kessler	Perzel	Vereb
Daley	Killion	Petrarca	Vitali
DeLuca	King	Petri	Vulakovich
Denlinger	Kirkland	Petrone	Wagner
DePasquale	Kortz	Phillips	Walko
Dermody	Kotik	Pickett	Wansacz
DeWeese	Kula	Preston	Waters
DiGirolamo	Leach	Pyle	Watson
Donatucci	Lentz	Quigley	Wheatley
Eachus	Levdansky	Quinn	White
Evans, D.	Longietti	Ramaley	Williams
Evans, J.	Mackereth	Rapp	Wojnaroski
Everett	Maher	Raymond	Yewcic
Fabrizio	Mahoney	Readshaw	Youngblood
Fairchild	Major	Reed	Yudichak
Fleck	Manderino	Reichley	
Frankel	Mann	Roae	O'Brien, D.,
Freeman	Mantz	Rock	Speaker
Gabig			

NAYS—1

Ross

NOT VOTING—0

EXCUSED—3

Dally Ellis Surra

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,
Will the House agree to the bill on second consideration as amended?

The SPEAKER. The Chair is informed that there are no further amendments.

On the question recurring,
Will the House agree to the bill on second consideration as amended?
Bill as amended was agreed to.

(Bill as amended will be reprinted.)

SUPPLEMENTAL CALENDAR B CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 169, PN 2164**, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions, for permitted games of chance, for prize limits, for insured games, for limited sales, for recordkeeping, for eligible organizations' use of locations for conducting small games of chance, for separate individual prize limitations and for advertising.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

The Chair recognizes Representative Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I know the members are milling around here, and I just want to bring to their attention that this is the bill that increases payouts over a week period up to \$20,000. I made the debate the other day. I am not going to go through it, but I just want them to be aware that this is the bill that we are now voting on.

Thank you.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—173

Adolph	Gerber	Marshall	Sabatina
Argall	Gergely	Marsico	Sainato
Barrar	Gibbons	McCall	Samuelson
Belfanti	Gillespie	McGeehan	Santoni
Benninghoff	Gingrich	McI. Smith	Saylor
Bennington	Godshall	McIlhatten	Scavello
Beyer	Goodman	Melio	Schroder
Biancucci	Grell	Micozzie	Seip
Bishop	Grucela	Millard	Shapiro
Blackwell	Haluska	Miller	Shimkus
Boback	Hanna	Moul	Siptroth
Brennan	Harhai	Moyer	Smith, K.
Brooks	Harhart	Mundy	Smith, M.
Buxton	Harkins	Mustio	Smith, S.
Caltagirone	Harris	Myers	Solobay
Cappelli	Helm	Nailor	Sonney
Carroll	Hennessey	Nickol	Staback
Casorio	Hershey	O'Brien, M.	Stairs
Civera	Hess	Oliver	Steil
Cohen	Hornaman	Pallone	Sturla
Conklin	James	Parker	Swanger
Costa	Josephs	Pashinski	Tangretti
Cox	Kauffman	Payne	Taylor, J.
Cruz	Keller, M.	Payton	Taylor, R.
Curry	Keller, W.	Peifer	Thomas
Daley	Kenney	Perry	Turzai
DeLuca	Kessler	Perzel	Vitali
DePasquale	Killion	Petrarca	Vulakovich
Dermody	King	Petrone	Wagner
DeWeese	Kirkland	Phillips	Walko
DiGirolamo	Kortz	Pickett	Wansacz
Donatucci	Kotik	Preston	Waters
Eachus	Kula	Pyle	Watson
Evans, D.	Leach	Quinn	Wheatley
Evans, J.	Lentz	Ramaley	White
Everett	Levdansky	Raymond	Williams
Fabrizio	Longietti	Readshaw	Wojnaroski
Fairchild	Maher	Reed	Yewcic
Frankel	Mahoney	Reichley	Youngblood
Freeman	Major	Roae	Yudichak
Gabig	Manderino	Rock	
Galloway	Mann	Roebuck	O'Brien, D.,
Geist	Mantz	Ross	Speaker
George	Markosek	Rubley	

NAYS—27

Baker	Cutler	Mensch	Rapp
Bastian	Denlinger	Metcalfe	Rohrer
Bear	Fleck	Milne	Stern
Boyd	Harper	Murt	Stevenson
Causar	Hickernell	O'Neill	True
Clymer	Hutchinson	Petri	Vereb
Creighton	Mackereth	Quigley	

NOT VOTING—0

EXCUSED—3

Dally	Ellis	Surra
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 432, PN 500**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey to the Borough of Mansfield certain lands situate in the Borough of Mansfield, Tioga County.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—200

Adolph	Galloway	Marshall	Rohrer
Argall	Geist	Marsico	Ross
Baker	George	McCall	Rubley
Barrar	Gerber	McGeehan	Sabatina
Bastian	Gergely	McI. Smith	Sainato
Bear	Gibbons	McIlhatten	Samuelson
Belfanti	Gillespie	Melio	Santoni
Benninghoff	Gingrich	Mensch	Saylor
Bennington	Godshall	Metcalfe	Scavello
Beyer	Goodman	Micozzie	Schroder
Biancucci	Grell	Millard	Seip
Bishop	Grucela	Miller	Shapiro
Blackwell	Haluska	Milne	Shimkus
Boback	Hanna	Moul	Siptroth
Boyd	Harhai	Moyer	Smith, K.
Brennan	Harhart	Mundy	Smith, M.
Brooks	Harkins	Murt	Smith, S.
Buxton	Harper	Mustio	Solobay
Caltagirone	Harris	Myers	Sonney
Cappelli	Helm	Nailor	Staback
Carroll	Hennessey	Nickol	Stairs
Casorio	Hershey	O'Brien, M.	Steil
Causar	Hess	O'Neill	Stern
Civera	Hickernell	Oliver	Stevenson
Clymer	Hornaman	Pallone	Sturla
Cohen	Hutchinson	Parker	Swanger
Conklin	James	Pashinski	Tangretti
Costa	Josephs	Payne	Taylor, J.
Cox	Kauffman	Payton	Taylor, R.
Creighton	Keller, M.	Peifer	Thomas
Cruz	Keller, W.	Perry	True
Curry	Kenney	Perzel	Turzai
Cutler	Kessler	Petrarca	Vereb
Daley	Killion	Petri	Vitali
DeLuca	King	Petrone	Vulakovich
Denlinger	Kirkland	Phillips	Wagner
DePasquale	Kortz	Pickett	Walko
Dermody	Kotik	Preston	Wansacz
DeWeese	Kula	Pyle	Waters
DiGirolamo	Leach	Quigley	Watson
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Evans, D.	Longietti	Rapp	Williams

Evans, J.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Youngblood
Fairchild	Major	Reichley	Yudichak
Fleck	Manderino	Roae	
Frankel	Mann	Rock	O'Brien, D.,
Freeman	Mantz	Roebuck	Speaker
Gabig	Markosek		

NAYS—0

NOT VOTING—0

EXCUSED—3

Dally Ellis Surra

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 684, PN 2165**, entitled:

An Act providing for the establishment of an automotive fuel testing and disclosure program, for standards for automotive fuel and for inspection, sampling and testing of automotive fuel; imposing powers and conferring duties on the Department of Agriculture; establishing the Octane Testing Account; and providing for penalties.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

The Chair recognizes Representative Maher.

Mr. MAHER. Thank you, Mr. Speaker.

In committee there was considerable conversation about this bill and a lot of questions and a pretty divided vote. It is my understanding that since that meeting, there may have been some developments or some further information, and I am asking the gentleman, Mr. Markosek, if he can speak to that.

The SPEAKER. The gentleman, Representative Markosek, indicates he will stand for interrogation.

Mr. MAHER. It is simply, really, an open-ended question that there were considerable concerns expressed in that committee meeting, and I understand there may have been some further developments or additional information. Can you amplify what that might be?

Mr. MARKOSEK. Thank you, Mr. Speaker.

One of the questions that came up in the meeting was relative to the inspectors, whether or not the current inspectors were capable of doing the fuel testing, and we found out since that meeting that, yes, they are capable and will in fact do that

as well as some of their other duties. The bill will authorize some additional seven inspectors, which will also do other duties as well.

Mr. MAHER. So, Mr. Speaker, if I understand correctly, when it was described in committee that the administration intended to hire inspectors who would go out and test gasoline tanks and pumps as individuals separate and apart from those who already go to those same pumps to verify that a gallon is a gallon, that we will not be having two government employees going to the same gas pumps to gain somewhat different information?

Mr. MARKOSEK. If I understand the question – and it came up at the meeting, as you recall – the new inspectors as well as the current inspectors will all be doing gas testing. What the bill will authorize is additional people, because with this bill, obviously there is going to be additional work. So I believe in the meeting the question was, why cannot the current inspectors do this, and the answer is, they can and will.

Mr. MAHER. And the mode of testing, I understand there is electronic gadgetry that can do instantaneous testing at the site and then go forward with sampling for laboratory tests only in the event that the electronic or infrared tester falls outside of the acceptable range. Is that the plan at this point, Mr. Speaker?

Mr. MARKOSEK. Again, if I understand the question, the apparatus you talk about and the mode of testing would be determined by the department. What we do in the bill is enable the department to promulgate regs relative to this, and in discussions with them that we have had in my office, they have indicated that there are some new technologies available and that they would certainly consider using them.

Mr. MAHER. And, Mr. Speaker, I have heard, but I do not know, that other States that test gasoline and related products such as New Mexico employ electronic gadgets for testing that have brought the testing costs to about \$1 per sample. In our committee meeting we were hearing about tests that would cost in the neighborhood of \$100 a sample. There is quite obviously a range. Do we have any assurance from the department that they are intending to go forward with the one that costs \$1 a sample rather than the one that costs \$100 a sample?

Mr. MARKOSEK. We are aware of those particular testing apparatus and devices, and we are also aware of some of the cost savings. It is not formally addressed in this bill, but in our discussions with the department, they intend to make that part of their overall discussions when they are formulating their regulations, and certainly we will take that into consideration.

Mr. MAHER. Thank you, Mr. Speaker.

That concludes my inquiries. If I may speak on the bill?

The SPEAKER. The gentleman is in order and may proceed.

Mr. MAHER. Thank you, Mr. Speaker.

I was among many who in committee had serious concerns not about the mission of the bill. The mission of the bill I think is laudable, to ensure Pennsylvanians when they pull up to a dispensing gas station and acquire gasoline for their cars, that they are getting what they are paying for and what is advertised, and that is very good. The concerns were how open-ended the bill was to allow the department to travel the expensive road rather than the inexpensive road. Based upon the gentleman's attestations, and I know him to be a man of goodwill and integrity, my concerns are modulated. I would prefer that these parameters were actually part of the bill rather than having it open-ended, but it is not, but I will accept the gentleman's

representations in good faith and ask for support on the measure.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—173

Adolph	Gibbons	McCall	Sabatina
Argall	Gillespie	McGeehan	Sainato
Baker	Gingrich	McI. Smith	Samuelson
Barrar	Godshall	McIlhattan	Santoni
Belfanti	Goodman	Melio	Saylor
Bennington	Grucela	Mensch	Scavello
Beyer	Haluska	Micozzie	Schroder
Biancucci	Hanna	Millard	Seip
Bishop	Harhai	Miller	Shapiro
Blackwell	Harhart	Milne	Shimkus
Boback	Harkins	Moul	Siptroth
Brennan	Harper	Moyer	Smith, K.
Buxton	Harris	Mundy	Smith, M.
Caltagirone	Helm	Murt	Smith, S.
Cappelli	Hennessey	Mustio	Solobay
Carroll	Hershey	Myers	Sonney
Casorio	Hess	Nailor	Staback
Civera	Hornaman	Nickol	Stairs
Clymer	James	O'Brien, M.	Steil
Cohen	Josephs	O'Neill	Sturla
Conklin	Keller, M.	Oliver	Swanger
Costa	Keller, W.	Pallone	Tangretti
Cruz	Kenney	Parker	Taylor, J.
Curry	Kessler	Pashinski	Taylor, R.
Daley	Killion	Payne	Thomas
DeLuca	King	Payton	Turzai
DePasquale	Kirkland	Perzel	Vereb
Dermody	Kortz	Petrarca	Vitali
DeWeese	Kotik	Petri	Vulakovich
DiGirolamo	Kula	Petrone	Wagner
Donatucci	Leach	Phillips	Walko
Eachus	Lentz	Pickett	Wansacz
Evans, D.	Levdansky	Preston	Waters
Evans, J.	Longietti	Pyle	Watson
Fabrizio	Mackereth	Quigley	Wheatley
Fairchild	Maher	Quinn	White
Fleck	Mahoney	Ramaley	Williams
Frankel	Major	Raymond	Wojnaroski
Freeman	Manderino	Readshaw	Youngblood
Galloway	Mann	Reed	Yudichak
Geist	Mantz	Reichley	
George	Markosek	Roebuck	O'Brien, D.,
Gerber	Marshall	Ross	Speaker
Gergely	Marsico	Rubley	

NAYS—27

Bastian	Creighton	Hutchinson	Rock
Bear	Cutler	Kauffman	Rohrer
Benninghoff	Denlinger	Metcalfe	Stern
Boyd	Everett	Peifer	Stevenson
Brooks	Gabig	Perry	True
Causar	Grell	Rapp	Yewcic
Cox	Hickernell	Roae	

NOT VOTING—0

EXCUSED—3

Dally	Ellis	Surra
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SB 233, PN 759

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Somerset County certain lands situate in Somerset Township, Somerset County.

Whereupon, the Speaker, in the presence of the House, signed the same.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 883, PN 1037**, entitled:

An Act amending the act of September 9, 1965 (P.L.497, No.251), known as the Newborn Child Testing Act, further providing for newborn child screening and testing; and making editorial changes.

On the question,

Will the House agree to the bill on third consideration?

BILL PASSED OVER TEMPORARILY

The SPEAKER. This bill will be over temporarily.

* * *

The House proceeded to third consideration of **HB 894, PN 2110**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for referendum or public hearing required prior to construction or lease and for approved reimbursable rental for certain leases and approved reimbursable sinking fund charges on indebtedness.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

POINT OF ORDER

The SPEAKER. Representative Vitali.

Mr. VITALI. Just a point of order, Mr. Speaker.

I do not mean to be a stickler, because I think this is an excellent bill and I fully support it, but I think in the spirit of the rules, the brief description had nothing to do with the bill itself. I mean, this bill deals with – it has nothing to do with referendum and public hearing. It has to do with LEED (Leadership in Energy and Environmental Design) certification and costs and all that.

I think in all fairness we might just want to try to do a slightly better job with the brief description just to kind of alert members. That is my only comment. I fully support this excellent piece of legislation.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—198

Adolph	Gabig	Mantz	Rohrer
Argall	Galloway	Markosek	Ross
Baker	Geist	Marshall	Rubley
Barrar	George	Marsico	Sabatina
Bastian	Gerber	McCall	Sainato
Bear	Gergely	McGeehan	Samuelson
Belfanti	Gibbons	McI. Smith	Santoni
Benninghoff	Gillespie	McIlhattan	Saylor
Bennington	Gingrich	Melio	Scavello
Beyer	Godshall	Mensch	Schroder
Biancucci	Goodman	Micozzie	Seip
Bishop	Grell	Millard	Shapiro
Blackwell	Gruela	Miller	Shimkus
Boback	Haluska	Milne	Siptroth
Boyd	Hanna	Moul	Smith, K.
Brennan	Harhai	Moyer	Smith, M.
Brooks	Harhart	Mundy	Smith, S.
Buxton	Harkins	Murt	Solobay
Caltagirone	Harper	Mustio	Sonney
Cappelli	Harris	Myers	Staback
Carroll	Helm	Nailor	Stairs
Casorio	Hennessey	Nickol	Steil
Causar	Hershey	O'Brien, M.	Stern
Civera	Hess	O'Neill	Stevenson
Clymer	Hickernell	Oliver	Sturla
Cohen	Hornaman	Pallone	Swanger
Conklin	Hutchinson	Parker	Tangretti
Costa	James	Pashinski	Taylor, J.
Cox	Josephs	Payne	Taylor, R.
Creighton	Kauffman	Peifer	Thomas
Cruz	Keller, M.	Perry	True
Curry	Keller, W.	Perzel	Turzai
Cutler	Kenney	Petrarca	Vereb
Daley	Kessler	Petri	Vitali
DeLuca	Killion	Petrone	Vulakovich
Denlinger	King	Phillips	Wagner
DePasquale	Kirkland	Pickett	Walko
Dermody	Kortz	Preston	Wansacz
DeWeese	Kotik	Pyle	Waters
DiGirolamo	Kula	Quigley	Watson
Donatucci	Leach	Quinn	Wheatley
Eachus	Lentz	Ramaley	White
Evans, D.	Levdansky	Rapp	Williams
Evans, J.	Longietti	Raymond	Wojnaroski
Everett	Mackereth	Readshaw	Yewcic
Fabrizio	Maher	Reed	Youngblood

Fairchild
Fleck
Frankel
Freeman

Mahoney
Major
Manderino
Mann

Reichley
Roae
Rock
Roebuck

Yudichak
O'Brien, D.,
Speaker

NAYS—2

Metcalf

Payton

NOT VOTING—0

EXCUSED—3

Dally

Ellis

Surra

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 1529, PN 1991**, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, further providing for film production grants; and requiring a report.

On the question,
Will the House agree to the bill on third consideration?
Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

(Members proceeded to vote.)

POINT OF ORDER

The SPEAKER. For what purpose does the gentleman, Representative Turzai, rise?

Mr. TURZAI. Mr. Speaker, just a point of order.

I just wanted clarification from the maker if this is the grants, not the tax credit. Is this the grants?

The SPEAKER. There is nothing in order but the taking of the roll.

On the question recurring,
Shall the bill pass finally?

The following roll call was recorded:

YEAS—136

Adolph	Frankel	Mantz	Roebuck
Argall	Gabig	Markosek	Ross
Baker	Galloway	Marshall	Rubley
Bastian	Geist	Marsico	Sabatina
Belfanti	George	McCall	Sainato
Bennington	Gerber	McGeehan	Santoni
Beyer	Gergely	Melio	Scavello
Biancucci	Gibbons	Mensch	Seip
Bishop	Gingrich	Micozzie	Shapiro
Blackwell	Godshall	Milne	Siptroth
Boback	Goodman	Moyer	Smith, M.
Brennan	Haluska	Mundy	Smith, S.
Buxton	Hanna	Murt	Solobay
Caltagirone	Harhai	Mustio	Staback
Cappelli	Harkins	Myers	Stairs
Casorio	Harper	Nailor	Sturla
Causar	Helm	O'Brien, M.	Swanger
Civera	Hennessey	O'Neill	Tangretti
Cohen	Hershey	Oliver	Taylor, J.
Costa	Hess	Parker	Thomas
Cruz	James	Pashinski	Vereb
Curry	Josephs	Payton	Wagner
Daley	Keller, W.	Perzel	Walko
DeLuca	Kenney	Petri	Waters
DePasquale	Killion	Petrone	Watson
Dermody	Kirkland	Phillips	Wheatley
DeWeese	Kortz	Pickett	White
DiGirolo	Kotik	Preston	Williams
Donatucci	Kula	Quigley	Wojnaroski
Eachus	Leach	Quinn	Youngblood
Evans, D.	Levdansky	Ramaley	Yudichak
Evans, J.	Maher	Raymond	
Fabrizio	Mahoney	Readshaw	O'Brien, D., Speaker
Fairchild	Manderino	Reed	
Fleck	Mann		

NAYS—64

Barrar	Grucela	Metcalfe	Samuelson
Bear	Harhart	Millard	Saylor
Benninghoff	Harris	Miller	Schroder
Boyd	Hickernell	Moul	Shimkus
Brooks	Hornaman	Nickol	Smith, K.
Carroll	Hutchinson	Pallone	Sonney
Clymer	Kauffman	Payne	Steil
Conklin	Keller, M.	Peifer	Stern
Cox	Kessler	Perry	Stevenson
Creighton	King	Petrarca	Taylor, R.
Cutler	Lentz	Pyle	True
Denlinger	Longietti	Rapp	Turzai
Everett	Mackereth	Reichley	Vitali
Freeman	Major	Roae	Vulakovich
Gillespie	McI. Smith	Rock	Wansacz
Grell	McIlhattan	Rohrer	Yewcic

NOT VOTING—0

EXCUSED—3

Dally	Ellis	Surra
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of **HB 1573, PN 2113**, entitled:

An Act establishing the Pennsylvania Center for Health Careers and the Health Careers Leadership Council.

On the question,

Will the House agree to the bill on third consideration?

Bills was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

The Chair recognizes Representative Seip.

Mr. SEIP. Thank you, Mr. Speaker.

I rise to speak on HB 1573 as the prime sponsor. As a member of the health-care community, I recognize and appreciate the complexities associated with formulating and sustaining a work force to meet the needs of our health-care system in Pennsylvania.

Currently the Center for Health Careers operates under the Governor's initiative of April of 2004. It does not even enjoy the status of being able to operate by Executive order. In order to maintain the progress made by the Center for Health Careers, to prevent us from having to reinvent the wheel, so to speak, this is necessary legislation.

This bill would also provide for the inclusion of the General Assembly in the oversight of the Pennsylvania Center for Health Careers.

I urge my colleagues to give an affirmative vote for this bill.

Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—192

Adolph	George	Marsico	Ross
Argall	Gerber	McCall	Rubley
Baker	Gergely	McGeehan	Sabatina
Barrar	Gibbons	McI. Smith	Sainato
Bastian	Gillespie	McIlhattan	Samuelson
Bear	Gingrich	Melio	Santoni
Belfanti	Godshall	Mensch	Saylor
Benninghoff	Goodman	Micozzie	Scavello
Bennington	Grell	Millard	Schroder
Beyer	Grucela	Miller	Seip
Biancucci	Haluska	Milne	Shapiro
Bishop	Hanna	Moul	Shimkus
Blackwell	Harhai	Moyer	Siptroth
Boback	Harhart	Mundy	Smith, K.
Boyd	Harkins	Murt	Smith, M.
Brennan	Harper	Mustio	Smith, S.
Brooks	Harris	Myers	Solobay
Buxton	Helm	Nailor	Sonney
Caltagirone	Hennessey	Nickol	Staback

Cappelli	Hershey	O'Brien, M.	Stairs
Carroll	Hess	O'Neill	Steil
Casorio	Hickernell	Oliver	Stevenson
Causar	Hornaman	Pallone	Sturla
Civera	Hutchinson	Parker	Swanger
Clymer	James	Pashinski	Tangretti
Cohen	Josephs	Payne	Taylor, J.
Conklin	Kauffman	Payton	Taylor, R.
Costa	Keller, M.	Peifer	Thomas
Cruz	Keller, W.	Perzel	True
Curry	Kenney	Petrarca	Turzai
Cutler	Kessler	Petri	Vereb
Daley	Killion	Petrone	Vitali
DeLuca	King	Phillips	Vulakovich
Denlinger	Kirkland	Pickett	Wagner
DePasquale	Kortz	Preston	Walko
Dermody	Kotik	Pyle	Wansacz
DeWeese	Kula	Quigley	Waters
DiGirolamo	Leach	Quinn	Watson
Donatucci	Lentz	Ramaley	Wheatley
Eachus	Levdansky	Rapp	White
Evans, D.	Longietti	Raymond	Williams
Evans, J.	Maher	Readshaw	Wojnaroski
Fabrizio	Mahoney	Reed	Yewcic
Fairchild	Major	Reichley	Youngblood
Frankel	Manderino	Roae	Yudichak
Freeman	Mann	Rock	
Gabig	Mantz	Roebuck	O'Brien, D.,
Galloway	Markosek	Rohrer	Speaker
Geist	Marshall		

NAYS—8

Cox	Everett	Mackereth	Perry
Creighton	Fleck	Metcalfe	Stern

NOT VOTING—0

EXCUSED—3

Dally	Ellis	Surra
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 27, PN 52**, entitled:

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, providing for witness relocation.

On the question,
Will the House agree to the bill on second consideration?

Miss **PARKER** offered the following amendment No. **A02238**:

Amend Sec. 1 (Sec. 3104), page 4, lines 5 through 7, by striking out all of said lines

Amend Sec. 1 (Sec. 3104), page 4, line 8, by striking out "(ix) To regularly inform the office" and inserting

(viii) To regularly inform the prosecuting official
Amend Sec. 1 (Sec. 3104), page 4, line 10, by striking out "(x)" and inserting

(ix)
Amend Sec. 1 (Sec. 3108), page 5, line 4, by striking out "protection" and inserting relocation

On the question,
Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Parker on the amendment.

Miss PARKER. Thank you, Mr. Speaker.

Amendment A2238 is simply an agreed-to amendment. It strengthens language and is from the Office of the Attorney General. It makes it extremely clear that if an individual is on probation or parole and he or she is seeking entrance into the Witness Relocation Program, they must make the prosecuting officials know about that issue.

I ask for an affirmative vote.

The SPEAKER. Representative Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

This is an agreed-to amendment, and I appreciate your support. Thank you.

On the question recurring,
Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

Adolph	Galloway	Marshall	Rohrer
Argall	Geist	Marsico	Ross
Baker	George	McCall	Rubley
Barrar	Gerber	McGeehan	Sabatina
Bastian	Gergely	McI. Smith	Sainato
Bear	Gibbons	McIlhatten	Samuelson
Belfanti	Gillespie	Melio	Santoni
Benninghoff	Gingrich	Mensch	Saylor
Bennington	Godshall	Metcalfe	Scavello
Beyer	Goodman	Micozzie	Schroder
Biancucci	Grell	Millard	Seip
Bishop	Grucela	Miller	Shapiro
Blackwell	Haluska	Milne	Shimkus
Boback	Hanna	Moul	Siptroth
Boyd	Harhai	Moyer	Smith, K.
Brennan	Harhart	Mundy	Smith, M.
Brooks	Harkins	Murt	Smith, S.
Buxton	Harper	Mustio	Solobay
Caltagirone	Harris	Myers	Sonney
Cappelli	Helm	Nailor	Staback
Carroll	Hennessey	Nickol	Stairs
Casorio	Hershey	O'Brien, M.	Steil
Causar	Hess	O'Neill	Stern
Civera	Hickernell	Oliver	Stevenson
Clymer	Hornaman	Pallone	Sturla
Cohen	Hutchinson	Parker	Swanger
Conklin	James	Pashinski	Tangretti
Costa	Josephs	Payne	Taylor, J.
Cox	Kauffman	Payton	Taylor, R.
Creighton	Keller, M.	Peifer	Thomas
Cruz	Keller, W.	Perry	True
Curry	Kenney	Perzel	Turzai
Cutler	Kessler	Petrarca	Vereb
Daley	Killion	Petri	Vitali
DeLuca	King	Petrone	Vulakovich
Denlinger	Kirkland	Phillips	Wagner

DePasquale	Kortz	Pickett	Walko
Dermody	Kotik	Preston	Wansacz
DeWeese	Kula	Pyle	Waters
DiGirolamo	Leach	Quigley	Watson
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Evans, D.	Longietti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Youngblood
Fairchild	Major	Reichley	Yudichak
Fleck	Manderino	Roae	
Frankel	Mann	Rock	O'Brien, D.,
Freeman	Mantz	Roebuck	Speaker
Gabig	Markosek		

NAYS—0

NOT VOTING—0

EXCUSED—3

Dally	Ellis	Surra
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

Will the House agree to the bill on second consideration as amended?

Miss **PARKER** offered the following amendment No. **A02412**:

Amend Sec. 1 (Sec. 3104), page 4, lines 5 through 7, by striking out all of said lines and inserting

(viii) To disclose if the witness is currently under the supervision of any county or State probation or parole department in Pennsylvania or another state as well as any conditions of the sentence.

Amend Sec. 1 (Sec. 3104), page 4, line 8, by striking out "office" and inserting

prosecuting official

Amend Sec. 1 (Sec. 3104), page 5, line 4, by striking out "protection" and inserting relocation

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Parker on the amendment.

Miss PARKER. Mr. Speaker, this, too, is an agreed-to amendment, and I would ask for an affirmative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

Adolph	Galloway	Marshall	Rohrer
Argall	Geist	Marsico	Ross
Baker	George	McCall	Rubley

Barrar	Gerber	McGeehan	Sabatina
Bastian	Gergely	McI. Smith	Sainato
Bear	Gibbons	McIlhatten	Samuelson
Belfanti	Gillespie	Mellio	Santoni
Benninghoff	Gingrich	Mensch	Saylor
Bennington	Godshall	Metcalfe	Scavello
Beyer	Goodman	Micozzie	Schroder
Biancucci	Grell	Millard	Seip
Bishop	Gruclera	Miller	Shapiro
Blackwell	Haluska	Milne	Shimkus
Boback	Hanna	Moul	Siptroth
Boyd	Harhai	Moyer	Smith, K.
Brennan	Harhart	Mundy	Smith, M.
Brooks	Harkins	Murt	Smith, S.
Buxton	Harper	Mustio	Solobay
Caltagirone	Harris	Myers	Sonney
Cappelli	Helm	Nailor	Staback
Carroll	Hennessey	Nickol	Stairs
Casorio	Hershey	O'Brien, M.	Steil
Causar	Hess	O'Neill	Stern
Civera	Hickernell	Oliver	Stevenson
Clymer	Hornaman	Pallone	Sturla
Cohen	Hutchinson	Parker	Swanger
Conklin	James	Pashinski	Tangretti
Costa	Josephs	Payne	Taylor, J.
Cox	Kauffman	Payton	Taylor, R.
Creighton	Keller, M.	Peifer	Thomas
Cruz	Keller, W.	Perry	True
Curry	Kenney	Perzel	Turzai
Cutler	Kessler	Petrarca	Vereb
Daley	Killion	Petri	Vitali
DeLuca	King	Petrone	Vulakovich
Denlinger	Kirkland	Phillips	Wagner
DePasquale	Kortz	Pickett	Walko
Dermody	Kotik	Preston	Wansacz
DeWeese	Kula	Pyle	Waters
DiGirolamo	Leach	Quigley	Watson
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Evans, D.	Longietti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Youngblood
Fairchild	Major	Reichley	Yudichak
Fleck	Manderino	Roae	
Frankel	Mann	Rock	O'Brien, D.,
Freeman	Mantz	Roebuck	Speaker
Gabig	Markosek		

NAYS—0

NOT VOTING—0

EXCUSED—3

Dally	Ellis	Surra
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question recurring,

Will the House agree to the bill on second consideration as amended?

The SPEAKER. The Chair recognizes Representative Parker. Miss PARKER. Thank you, Mr. Speaker.

For the record, I just wanted to thank my colleagues on both sides of the aisle for their support of HB 27.

I wanted to note that this bill is actually the same language that was included in HB 2736 that was introduced during our

last session. It passed with unanimous support through the Judiciary Committee during that time. It also passed with overwhelming bipartisan support during our special session, a Committee of the Whole on violence, and it was voted with bipartisan support during that time. Over 150 of our members on both sides of the aisle supported this legislation, and I am extremely grateful.

I wanted to note that this program was established in 2002 under the leadership of our former Attorney General Mike Fisher when we had some heinous crimes committed.

Mr. Speaker, may I have order, please?

The SPEAKER. The gentlelady is correct.

Conferences will break up or they will adjourn to the anteroom. Members will keep their conversations to a minimum.

Miss PARKER. Thank you, Mr. Speaker.

As I was stating, this program was created in 2002 by former Attorney General Mike Fisher, and it was in response to some heinous crimes that took place in the Commonwealth of Pennsylvania. He in turn received a grant from our Federal government through United States Senator Arlen Specter, and since the program was established in 2002, it has opened approximately 412 cases throughout the Commonwealth of Pennsylvania.

For the first time during our 2005 and 2006 budget year, the Commonwealth of Pennsylvania appropriated funds for the Witness Relocation Program through two appropriations. The first was the Witness Relocation Program, and the next was the Gun Violence Reduction Program, and that appropriation since 2005 has been in the amount of \$1 million.

I wanted to note for the record, Mr. Speaker, so that there is no misconception about where this program is being operated, since its inception people from Allegheny County, Bucks County, Chester County, Clarion County, Crawford County, Dauphin, Delaware, Erie, Lancaster, Lebanon, Lehigh, Luzerne, Mercer, Montgomery, Northampton, Philadelphia, Washington, and Westmoreland Counties have benefited from this program.

I am pleased to note also that this program is being established in statute as being supported by Philadelphia District Attorney Lynne Abraham; by our Attorney General, Tom Corbett; the District Attorneys Association for the Commonwealth of Pennsylvania, but unfortunately, they will not be meeting until July and could not get us a letter in writing until then.

I ask for your affirmative support. Thank you.

On the question recurring,

Will the House agree to the bill on second consideration as amended?

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

* * *

The House proceeded to second consideration of **HB 1230, PN 2098**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for publication of delinquent support obligors.

On the question,

Will the House agree to the bill on second consideration?

Mr. **PHILLIPS** offered the following amendment No. **A02302**:

Amend Title, page 1, line 3, by removing the period after "obligors" and inserting

and for identifying information in protection from abuse orders.

Amend Sec. 1, page 1, line 15, by striking out "SECTION 4309(A) AND (B)" and inserting Sections 4309 and 6108(b)

Amend Sec. 1, page 2, by inserting between lines 14 and 15 § 6108. Relief.

* * *

(b) Identifying information.—Any order issued under this section shall, where furnished by either party, specify the Social Security number and date of birth of the defendant. Any portion of an order, petition or other paper that includes a defendant's Social Security number shall be kept in the files of the court as a permanent record and withheld from public inspection except:

(1) upon an order of the court granted upon cause shown;

(2) as necessary, by law enforcement and court personnel; or

(3) after redaction of information listing a defendant's Social Security number.

* * *

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Phillips on the amendment.

Mr. **PHILLIPS**. Thank you, Mr. Speaker.

It amends section 6108 of the Protection from Abuse Act relating to identifying information. Under current law, any protection-from-abuse order issued by the court must contain the Social Security number and date of birth of the defendant. The statute does not contain a provision addressing the disclosure or nondisclosure of this information.

The amendment addresses the potential for identity theft of the defendant's Social Security number. The amendment provides that any portion of an order, petition, or other paper containing the defendant's Social Security number shall be kept in the files of the court as a permanent record and withheld from the public except upon an order of the court, as necessary by law enforcement and court personnel, or after redaction of the defendant's Social Security number.

The amendment is supported by both the Pennsylvania State Police and the Pennsylvania Sheriffs' Association.

Thank you, Mr. Speaker.

The SPEAKER. Representative Belfanti, on the amendment.

Mr. **BELFANTI**. Mr. Speaker, this is an agreed-to amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—200

Adolph	Galloway	Marshall	Rohrer
Argall	Geist	Marsico	Ross
Baker	George	McCall	Rubley
Barrar	Gerber	McGeehan	Sabatina
Bastian	Gergely	McI. Smith	Sainato
Bear	Gibbons	McIlhattan	Samuelson
Belfanti	Gillespie	Melio	Santoni
Benninghoff	Gingrich	Mensch	Saylor
Bennington	Godshall	Metcalfe	Scavello
Beyer	Goodman	Micozzie	Schroder
Biancucci	Grell	Millard	Seip
Bishop	Grucela	Miller	Shapiro
Blackwell	Haluska	Milne	Shimkus
Boback	Hanna	Moul	Siptroth
Boyd	Harhai	Moyer	Smith, K.
Brennan	Harhart	Mundy	Smith, M.
Brooks	Harkins	Murt	Smith, S.
Buxton	Harper	Mustio	Solobay
Caltagirone	Harris	Myers	Sonney
Cappelli	Helm	Nailor	Staback
Carroll	Hennessey	Nickol	Stairs
Casorio	Hershey	O'Brien, M.	Steil
Causar	Hess	O'Neill	Stern
Civera	Hickernell	Oliver	Stevenson
Clymer	Hornaman	Pallone	Sturla
Cohen	Hutchinson	Parker	Swanger
Conklin	James	Pashinski	Tangretti
Costa	Josephs	Payne	Taylor, J.
Cox	Kauffman	Payton	Taylor, R.
Creighton	Keller, M.	Peifer	Thomas
Cruz	Keller, W.	Perry	True
Curry	Kenney	Perzel	Turzai
Cutler	Kessler	Petrarca	Vereb
Daley	Killion	Petri	Vitali
DeLuca	King	Petrone	Vulakovich
Denlinger	Kirkland	Phillips	Wagner
DePasquale	Kortz	Pickett	Walko
Dermody	Kotik	Preston	Wansacz
DeWeese	Kula	Pyle	Waters
DiGirolamo	Leach	Quigley	Watson
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Evans, D.	Longietti	Rapp	Williams
Evans, J.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Youngblood
Fairchild	Major	Reichley	Yudichak
Fleck	Manderino	Roae	
Frankel	Mann	Rock	O'Brien, D.,
Freeman	Mantz	Roebuck	Speaker
Gabig	Markosek		

NAYS—0

NOT VOTING—0

EXCUSED—3

Dally Ellis Surra

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

Will the House agree to the bill on second consideration as amended?

Mr. VITALI offered the following amendment No. A02305:

Amend Sec. 1, page 1, lines 15 and 16, by striking out all of said lines and inserting

Section 1. Section 4309 of Title 23 of the Pennsylvania Consolidated Statutes is amended to read:

Amend Sec. 1 (Sec. 4309), page 2, line 7, by inserting after "COUNTY."

The photograph of a delinquent support obligor may be published only after the obligor is adjudged in contempt under section 4345 (relating to contempt for noncompliance with support order).

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes Representative Vitali on the amendment.

Mr. VITALI. Thank you, Mr. Speaker.

What this amendment does is require that before someone who is delinquent and their child support photograph appears in the newspaper, that there be a finding by a judge he is in contempt; in other words, a finding that he has the ability to pay his support but simply refuses to. The problem with simply putting a person's picture in the paper because he is delinquent in his support is that there are many reasons a person gets behind that have nothing to do with willfully not wanting to pay, you know, loss of employment and sickness and so forth. I think we ought to come down hard on people who willfully are not paying their support, but I do not think that we should be penalizing people who simply cannot pay. So this would basically require a finding by a judge before a person's photograph is placed in the paper.

The SPEAKER. Representative Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

I strongly disagree with this amendment. We have all worked with the court systems and have dealt with court systems in our line of work. We have all had people who have been in arrears make arrangements with the courts. They are very accommodating in that regard. Typically, the noncustodial parent is very accommodating in the case of unemployment that is not intentional.

The reason for this legislation, Mr. Speaker, is not to create a new law. We already allow for the names of delinquent parents, and this is not gender-based, because I have today's newspaper in my hand, the Shamokin newspaper, where our court has printed the names, a quarterly report of the names of people that owe anywhere from \$5,000 to \$29,000. That is a lot of food that that child does not get to eat or clothing that that child does not get to wear.

I am very sensitive to the father's rights. I received an award from the Pennsylvania Fathers' Rights Association. I am the prime sponsor of the child custody act or presumptive joint custody act or law in this State, not law; the bill, that failed to pass the Senate. So I understand where Representative Vitali is going, but this bill is not for attorneys. This bill is for kids. We compromised on the legislation to allow for 90 days in arrearage, which presently you only need to be 30 days back before your name gets printed in the paper.

But, Mr. Speaker, the main focus of this bill is for the custodial parent to be able to locate the noncustodial parent. That is the main reason for this bill, and if you are a noncustodial mother – and by the way, one-third of these names

are mothers that owe child support, and I may get to read them later, as I have no compunction in doing that. They have already been in the paper. But the counties' Web sites are also allowed to put the names of these scofflaws that are ignoring their children in the paper. The problem is if that scofflaw moves 10 miles away and he was born and raised in Mount Carmel, Pennsylvania, in my district, and moves 25 miles away to Merle Phillips' district and you read his name, you do not know what he looks like, he just moved there, and he could have a job under an assumed name or more often be working under the table for some roofing and tarring contractor and avoid paying child support.

Again, this is not breaking new ground. This bill simply allows that a picture accompany the name in both the newspaper and the county Web site should a court and the judge determine that the individual is intentionally trying to evade being located and thereby paying their child support. This is an attempt to try and find people. We are not breaking new ground. There was a lot of legislation dealing with people being in arrears in child support. We can garnish their wages; we can do a lot of things. That does not matter if the person is living out of the county or living out of the town. This ought to be a national law, and I hope that someday it will be so that there will be a national Web site, but it has to start somewhere.

A woman wrote me a letter, came in and talked to my staff about this. She has not seen a penny since her child was in second grade, and that child is now entering college. That is just simply wrong.

And I am asking the people to oppose the Vitali amendment or anything else that would liberalize this bill. Again, it allows people to cough up in 90 days before they are embarrassed, and again, there are plenty of mechanisms for someone who is truly unemployed to make a deal with their spouse, because this money is not for the spouse; it is for the child.

Thank you, Mr. Speaker.

The SPEAKER. Representative Pallone.

Mr. PALLONE. Thank you, Mr. Speaker.

While I certainly understand and respect the gentleman from Delaware's objective in trying to introduce this amendment to the bill, it goes just a little bit too far beyond the regular scope of this legislation. The existing law already today is that your name can be published if you are delinquent for 30 days. The bill in chief extends that to 90 days. So it gives you an additional protection for the families or the gentlemen or the ladies who have an obligation and they are unable to make it. It gives them a 90-day window to make whatever remedies are available.

This amendment takes it one step further and requires a court order of contempt, and there is a cost associated with getting that court order for contempt. The parent who is not receiving their child support will oftentimes most likely have to hire a lawyer, petition the court for contempt, go through the hearing process, obtain an order before they can ever publish this gentleman's photo or name identity or woman's name identity and woman's photograph.

The cost of a lawyer certainly is not free, and in many counties, in fact, all counties across the Commonwealth, there are child support advocates that already have an overburdened case load in the respective domestic relations offices. We are just going to add another layer of work to a group of public servants who are most likely already inundated with casework. This just puts a whole other level of bureaucracy in place that

protects the scofflaw, the nonpayer. It does not protect the child. The whole basis of child support in Pennsylvania is for the benefit of the child, not the benefit of the parent, not the benefit of the payer. It is for the benefit of the child. This amendment works towards the detriment of the child, not to that child's benefit.

And I would ask that all the members in good conscience, knowing that it is well intended but it is just not appropriate in this particular circumstance, to oppose the amendment as being presented.

Thank you, Mr. Speaker.

The SPEAKER. Representative Blackwell.

Mr. BLACKWELL. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment.

No one can give me any good reason why they do not pay child support. As a one-time single parent who found it hard as a younger man raising two children by myself, I did whatever I had to do to take care of my children.

I would offer that I want to do anything I can to expose people who do not pay their child support, because I was raised, Mr. Speaker, that if I had to go down to the corner and sell pretzels to take care of my children, that is what I would have to do. Now, I might add, selling pretzels is pretty big business in these times, but anything that would help take these mothers who are going through a lot of hard times and some fathers because they cannot find the father or mother of these children to help support them financially, I am for that, Mr. Speaker. It is the right thing to do.

So while I understand the gentleman's position, I disagree with that position, because I think sometimes when you embarrass people, the positive result comes of it. Sometimes people need a little motivation to do the right thing.

This amendment does not do that, Mr. Speaker. I would implore my colleagues to vote against this amendment.

Thank you very much.

AMENDMENT WITHDRAWN

The SPEAKER. Representative Vitali.

Mr. VITALI. Mr. Speaker, this is not the night to do stuff like this. I am just going to withdraw this amendment.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair is not aware of any other amendments.

On the question recurring,

Will the House agree to the bill on second consideration as amended?

The SPEAKER. Representative Roebuck.

Mr. ROEBUCK. On the bill, Mr. Speaker. Would the maker of the bill please stand for brief interrogation?

The SPEAKER. The gentleman, Representative Belfanti, indicates that he will.

Mr. BELFANTI. Yes, I will.

Mr. ROEBUCK. I wanted to be clear, Mr. Speaker, as I read the bill, there is an immunity provision herein, and I wanted to understand what that does in this legislation.

Mr. BELFANTI. I am sorry, Mr. Speaker. There is a conference going on here. I just did not hear the question.

The SPEAKER. All conferences will break up.

Will the gentleman restate his question.

Mr. ROEBUCK. There is in the language of the bill an immunity provision. I wanted to understand what that provision does within the legislation.

Mr. BELFANTI. Mr. Speaker, the immunity provision that is cited in the bill is already law insofar as printing of names. This immunity would be extended to placing the photograph of these individuals, again, not after 30 but after 90 days, in both the newspaper, should they be willing to print those photographs, and the counties' Web sites. Again, that same immunity language is in present law regarding the 30-day scofflaws, and I would like to qualify just that, if I can, for one second.

I neglected to mention before in the 30-day issuance of the names being added to the paper or to the county Web site, that is typically not really after 30 days, and the same would hold true for the 90 days. Most of these judges and courts do that after 30 days of not being able to find one, 30 days of people ignoring a court appearance to come in and work out a payment plan. I extend that to 90 days before the photo, but be that as it may, it could possibly very well mean that that person is 6 months or 7 months in arrears. That is a long time without food for the child and a long time for clothing, et cetera. I am sorry for embellishing a little bit, but I hope that the immunity issue I answered.

Mr. ROEBUCK. Mr. Speaker, I think that I got the gist of what the answer to my question was, but I wanted to understand. It seems to me there is one thing when you print a name in a paper, it is quite another thing when you print a picture, particularly if that paper makes a mistake. It is not unusual in any newspaper to have in the corrections column an indication that the wrong name was assigned to a picture or the wrong picture was printed or even the wrong name was used in a particular article.

And what I am concerned about, Mr. Speaker, and perhaps the author of this legislation can explain to me, is, what happens then with this immunity provision when someone's picture is printed by mistake and they are damaged by that action and you have now prohibited them from getting any kind of compensation for that damage?

Mr. BELFANTI. That, Mr. Speaker, I think is a good point. However, again, we amended present law. Present law reads, "Immunity.—The county, its officials and newspapers,...shall be immune from any and all criminal and civil liability as a result of the publication of names...and identities under subsection (a), unless the publication is a result of intentional misconduct by the county, its officials or..." the news media. We simply inserted the word "photographs" into that section.

Maybe there is a cause of action. I am not a constitutional attorney, and maybe that is something that needs to be looked at in the Senate, but I do know one thing, again, I can read the list from my courthouse and from my domestic relations office of a few dozen names, if need be, of people that simply cannot be found. This is a tool to try and find people, and there may be, there may be a one-in-a-million chance that the wrong name will be under a picture. I do not know how to respond to that other than that is the present law. We simply added one word.

Mr. ROEBUCK. Mr. Speaker, if I can be clear, it is not the present law to print a picture. To me, there is a quantum difference between a name and a picture, particularly if you put the wrong name on the picture, and it seems to me what you are suggesting here is the two are the same. They are not, if I understand it correctly, Mr. Speaker, the same. Now, if you

can convince me that they are the same, I would concede the point. But I want to know what then I should do if my name is Robert Smith and if someone named Robert Smith has a picture that is printed in the paper that is not the same or my picture goes with that name, how do I get my name restored, Mr. Speaker?

PARLIAMENTARY INQUIRY

Mr. BELFANTI. Prior to responding to the gentleman, may I ask a point of parliamentary inquiry?

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. BELFANTI. It is possible to amend bills on third consideration as well?

The SPEAKER. Only technical amendments—

Mr. BELFANTI. Okay.

The SPEAKER. —unless there is a suspension of the rules, and then that would require the bill to go over for 24 hours.

Mr. BELFANTI. Thank you very much, and I will now respond to the gentleman.

Mr. Speaker, again, I have to look at whether the benefits far outweigh the negatives, and you may be talking about a one-in-a-million or a one-in-a-thousand chance. The problem is when it comes to publishing names, there is far more likelihood that there will be confusion because there are a lot of people that are named Howard K. Smith perhaps in a county. So you print the name Howard K. Smith, and there might be 10 people with that name. Now, the nine other Howard K. Smiths are embarrassed because all their friends think they owe child support.

There is far more certainty by allowing the judge and the spouse, the custodial spouse, in agreeing that this photograph is the person that I am looking for, is the person that owes me 2 or 3 or 4 or 5 months of arrearage, and if you would care to draft an amendment — I do not know if the maker is listening to me or Mr. Gabig — if you would care to draft an amendment that requires the spouse to identify the photograph, so in case you are not trying to do an end-around about what I am trying to do and you are really concerned about somebody's photo being inadvertently placed instead of the high school football star guy that has not paid child support in 5 months, I am willing to let the bill pass over until Monday, and I will wait for an amendment that makes it very clear that the spouse and the courts agree that the photo is correct before it gets published.

Mr. ROEBUCK. With that agreement, Mr. Speaker, I would certainly agree to— I certainly thank the maker of the bill for agreeing to do that. Thank you.

Mr. BELFANTI. If that is the case, Mr. Speaker, if I may?

The SPEAKER. Representative Belfanti is in order and may proceed.

Mr. BELFANTI. Thank you, Mr. Speaker.

Since we will be back here tomorrow, Monday, I assume, maybe through Thursday, I have no objection to leaving this bill on second consideration and laying it back on the table to allow the gentleman time to prepare an amendment to make sure that the custodial parent agrees that the photograph is indeed a correct one.

STATEMENT BY MR. THOMAS

The SPEAKER. For what purpose does Representative Thomas rise?

Mr. THOMAS. Thank you, Mr. Speaker. On unanimous consent.

I wanted to thank the maker of the bill and thank the speaker who raised that question and just provide the body with an example of what I think the speaker was talking about.

Last week in Philadelphia County we had a situation where there was a double homicide. The police arrested a young man who was driving in his truck for the double homicide. Fox News got a picture of the guy and ran and put that picture on the TV. In a matter of a few hours, the police found out that he was not the person who committed the double homicide. Later on that evening he was taking his wife out to dinner. Someone with an automatic shot up his truck and just missed him and his wife because of that mistaken picture that Fox News published on the television.

So identification is extremely important, and when we make mistakes like that, sometimes we cannot reverse those mistakes and tragedy can arise out of those mistakes.

So I want to thank Chairman Belfanti and also thank Representative Roebuck for raising that very important question.

Thank you, Mr. Speaker.

The SPEAKER. For what purpose does the gentleman, Representative Saylor, rise?

Mr. SAYLOR. Mr. Speaker, under unanimous consent, if I may.

The SPEAKER. The gentleman may proceed, without objection.

Mr. SAYLOR. Mr. Speaker, I guess I rise to ask yourself to reconsider your ruling over the last 2 or 3 days on the allowing of committee meetings to take place while we are under discussions on the House floor.

The SPEAKER. Will the gentleman postpone.

The Chair will make an announcement on this bill and then come back to the gentleman.

Mr. SAYLOR. Thank you.

BILL PASSED OVER

The SPEAKER. Without objection, this bill will go over for today.

SENATE BILL FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following bill for concurrence:

SB 704, PN 1256

Referred to Committee on AGING AND OLDER ADULT SERVICES, June 30, 2007.

CONSIDERATION OF HB 27 CONTINUED**DECISION OF CHAIR RESCINDED**

The SPEAKER. Without objection, the Chair rescinds its announcement that HB 27 has been agreed to for the second time as amended.

On the question recurring,

Will the House agree to the bill on second consideration as amended?

AMENDMENT A02238 RECONSIDERED

The SPEAKER. The Chair is in receipt of a reconsideration motion.

Representative Parker and Representative McCall move that the vote by which amendment A02238 was passed to HB 27, PN 52, on the 30th day of June be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—200

Adolph	Galloway	Marshall	Rohrer
Argall	Geist	Marsico	Ross
Baker	George	McCall	Rubley
Barrar	Gerber	McGeehan	Sabatina
Bastian	Gergely	McI. Smith	Sainato
Bear	Gibbons	McIlhatten	Samuelson
Belfanti	Gillespie	Melio	Santoni
Benninghoff	Gingrich	Mensch	Saylor
Bennington	Godshall	Metcalfe	Scavello
Beyer	Goodman	Micozzie	Schroder
Biancucci	Grell	Millard	Seip
Bishop	Grucela	Miller	Shapiro
Blackwell	Haluska	Milne	Shimkus
Boback	Hanna	Moul	Siptroth
Boyd	Harhai	Moyer	Smith, K.
Brennan	Harhart	Mundy	Smith, M.
Brooks	Harkins	Murt	Smith, S.
Buxton	Harper	Mustio	Solobay
Caltagirone	Harris	Myers	Sonney
Cappelli	Helm	Nailor	Staback
Carroll	Hennessey	Nickol	Stairs
Casorio	Hershey	O'Brien, M.	Steil
Causer	Hess	O'Neill	Stern
Civera	Hickernell	Oliver	Stevenson
Clymer	Hornaman	Pallone	Sturla
Cohen	Hutchinson	Parker	Swanger
Conklin	James	Pashinski	Tangretti
Costa	Josephs	Payne	Taylor, J.
Cox	Kauffman	Payton	Taylor, R.
Creighton	Keller, M.	Peifer	Thomas
Cruz	Keller, W.	Perry	True
Curry	Kenney	Perzel	Turzai
Cutler	Kessler	Petrarca	Vereb
Daley	Killion	Petri	Vitali
DeLuca	King	Petrone	Vulakovich
Denlinger	Kirkland	Phillips	Wagner
DePasquale	Kortz	Pickett	Walko
Dermody	Kotik	Preston	Wansacz
DeWeese	Kula	Pyle	Waters
DiGirolamo	Leach	Quigley	Watson
Donatucci	Lentz	Quinn	Wheatley
Eachus	Levdansky	Ramaley	White
Evans, D.	Longietti	Rapp	Williams

Evans, J.	Mackereth	Raymond	Wojnaroski
Everett	Maher	Readshaw	Yewcic
Fabrizio	Mahoney	Reed	Youngblood
Fairchild	Major	Reichley	Yudichak
Fleck	Manderino	Roae	
Frankel	Mann	Rock	O'Brien, D.,
Freeman	Mantz	Roebuck	Speaker
Gabig	Markosek		

NAYS—0

NOT VOTING—0

EXCUSED—3

Dally Ellis Surra

The majority having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,
Will the House agree to the amendment?

The clerk read the following amendment No. **A02238**:

Amend Sec. 1 (Sec. 3104), page 4, lines 5 through 7, by striking out all of said lines

Amend Sec. 1 (Sec. 3104), page 4, line 8, by striking out "(ix) To regularly inform the office" and inserting

(viii) To regularly inform the prosecuting official

Amend Sec. 1 (Sec. 3104), page 4, line 10, by striking out "(x)" and inserting

(ix)

Amend Sec. 1 (Sec. 3108), page 5, line 4, by striking out "protection" and inserting

relocation

On the question recurring,
Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. On the amendment, the Chair recognizes Representative Parker.

Miss PARKER. Thank you, Mr. Speaker.
I wish that amendment 2238 be withdrawn.
The SPEAKER. The Chair thanks the lady.

On the question recurring,
Will the House agree to the bill on second consideration as amended?

Bill as amended was agreed to.

(Bill as amended will be reprinted.)

STATEMENT BY MR. SAYLOR

The SPEAKER. Representative Saylor.

Mr. SAYLOR. If I may be recognized under unanimous consent, Mr. Speaker?

The SPEAKER. Without objection, the gentleman is in order and may proceed.

Mr. SAYLOR. Mr. Speaker, I bring up the issue of the allowing of committee meetings to take place while discussions on the House floor take place simply because I have great concern. I understand the ruling of trying to get business of the committees done around here, particularly at this time of the year, but, Mr. Speaker, the other day the Black Caucus as well as yesterday members of this floor wanted to hear the discussions that took place or participate in some of those discussions, but they were forced off the House floor to attend committee meetings rather than being able to stay and hear or participate in those discussions, and I think that it is a bad precedent for this organization or for you, Mr. Speaker, to take members away. Rank-and-file members, I think, should have the ability to stay on the House floor to participate in debate or listen to the debate that is going on.

So I just ask the Speaker to please reconsider his ruling on allowing committee meetings to take place while discussions on the House floor are proceeding. So I would appreciate that reconsideration.

The SPEAKER. The other day when the calendar was completed, the Speaker informed the members that no further votes were being taken. This is done as a courtesy so members do not needlessly stay on the floor while we finish housekeeping issues. I followed the practice, and I will continue to do so. Of course, if there is a member that notifies the Chair in advance that a member wishes to be recognized for the purpose of a motion or another action that requires a vote, the member will be recognized before members are permitted to leave the floor. We were operating under the provision of unanimous consent, and there was at least one committee, perhaps more, but at least one committee that had announced a committee meeting, and under the provision of unanimous consent, anyone can object to that unanimous consent, and no one objected to the members announcing committee meetings on the floor.

Mr. SAYLOR. Mr. Speaker, I appreciate that, but the fact is that the rank-and-file members were not allowed to stay on the House floor because they had to report to committee meetings when they wanted to stay and hear, whether it was the Black Caucus who had comments to be made the other day, that they deserve to be heard. Instead, members were forced off the floor that day as well as yesterday when the leaders and other members of this House floor were debating budget issues.

So I just think it is a courtesy to every member here that instead of having committee meetings when there is very good discussion on very important issues on the House floor, that we not be forced off the floor to go to committee meetings until that discussion has been completed.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does Representative Everett rise?

Mr. EVERETT. Mr. Speaker, I have a point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. EVERETT. Mr. Speaker, it is my understanding that HB 1286 is out of the Rules Committee and is on the supplemental calendar. Is that correct?

The SPEAKER. The gentleman is correct.

Mr. EVERETT. Mr. Speaker, similar to my inquiry from yesterday, what would I have to do at this point in order to bring HB 1286 to the floor for consideration and a vote this evening?

The SPEAKER. If the gentleman will postpone his inquiry, the Chair will recognize the majority leader. There is an announcement about that bill that will be made imminently.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair has recognized the majority leader.

Mr. DeWEESE. Mr. Speaker, thank you very much for being recognized.

We are ready to call up the budget vote at this time. That might alleviate some of the parliamentary efforts that are intervening, and we are disposed right now to deal with the budget.

The SPEAKER. Does that satisfy the gentleman, Representative Everett's point of parliamentary inquiry?

Mr. EVERETT. Yes. I will withdraw, if we are going to bring it up and get going, I will withdraw my parliamentary inquiry.

The SPEAKER. The Chair thanks the gentleman.

Representative Maher.

Mr. MAHER. Point of order, Mr. Speaker.

On a number of occasions in the last couple days of session, while there has been business pending and while parliamentary inquiries have been before the Chair, the Chair has, instead of responding to those parliamentary inquiries, allowed other members to get up and make speeches and announcements and so forth. The individual who had made the inquiry this time clearly had not yielded, the other night I clearly had not yielded, and that violates the provisions of Mason's Manual that once a member is recognized, that they have the floor, and while the business is pending, it seems quite a departure from practice, from rules, to essentially yield the authority of the Speaker's rostrum to whomever happens to be standing at a microphone on the Democratic side of the aisle. And I would ask, Mr. Speaker, that you respect the rules and the order of proceedings, and while there is a parliamentary inquiry pending before you, that you address it.

And I would add further, Mr. Speaker, that your recitation of the events of our last session day are factually flawed. I in fact had a point of order pending with you. We were not operating under unanimous consent, and you proceeded, instead of responding to the point of order, business pending before this House, proceeded to permit individuals to start making announcements and others to start making speeches. That is a violation of the rules, Mr. Speaker, and attempting to establish—

The SPEAKER. The gentleman will cease.

Mr. MAHER. —attempting to establish precedent—

The SPEAKER. The gentleman will cease.

Mr. MAHER. —by rewriting history—

The SPEAKER. The gentleman will cease.

Mr. MAHER. —to pretend that the events— Mr. Speaker, I am not yielding to you. No, sir. I am not going to yield at this time, sir.

The SPEAKER. The gentleman will cease.

Mr. MAHER. I will not yield at this time, sir.

The SPEAKER. The gentleman is not in order. The gentleman is not in order.

For the information of the member, a point of order, when a member rises to a point of order, is when he or she questions the propriety or procedure being followed. The member puts to the Speaker the question as to whether there has been a breach of order or a violation of the rules. A speaker may be interrupted to raise a point of order. If the Speaker rules, his decision may be appealed. The gentleman has not stated a point of order; therefore, the gentleman is out of order.

The gentleman has not stated a point of order. The Chair has merely— The gentleman is out of order. The gentleman is out of order.

The Chair— Members will cease. The Chair will remind all the members of the House and direct their attention to rule 13, "If any member in speaking or otherwise transgresses the Rules of the House, the Speaker...shall call the member to order, in which case the member shall immediately sit down unless permitted by the House to explain." The gentleman stated no point of order. The gentleman is out of order.

The Chair will turn as a further explanation to Representative Everett and explain that a point of parliamentary inquiry – and the members will listen to the difference in the questions they raise at the microphone – a point of parliamentary inquiry is the request that is made to inquire about procedures being followed or to be followed during consideration of a measure and for information with respect to procedure concerning a question before the House. Members speaking may be interrupted to make a parliamentary inquiry. An answer to a parliamentary inquiry generally does not result in a ruling by the Speaker and thus cannot be appealed. When the gentleman, Representative Everett, rose to the microphone, he rose as a point of parliamentary inquiry. The Chair responded by recognizing the majority leader, who had the information to answer the gentleman's point of parliamentary inquiry.

POINT OF ORDER

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. For what purpose does the majority leader rise?

Mr. DeWEESE. A point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. DeWEESE. The honorable gentleman can engage in this worthy forensic exercise at a subsequent moment, but right now, on the eve of our deadline, on the 30th of June, we are anxious to take up the State budget. A first-term Republican member had wholesomely inquired about the feasibility of this effort. We are acquiescing. We are anxious to move on with the State's business, and these parliamentary gymnastics can be initiated at another moment.

So I would ask that HB 1286 be called up for debate. Thank you.

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1286, PN 1983**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2007, to June 30, 2008, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund and the Tobacco Settlement Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2007, to June 30, 2008; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2007, to June 30, 2008, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2007; to provide for the additional appropriation of Federal and State funds from the General Fund, the State Lottery Fund and the Pharmaceutical Assistance Contract for the Elderly Fund for the Executive, Legislative and Judicial Departments of the Commonwealth for the fiscal year July 1, 2006, to June 30, 2007, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2006.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. On the question, the Chair recognizes Representative Evans.

Mr. D. EVANS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to give some historical perspective of where we are today and express to my colleagues and to all of the House members that we want to work together. Let me make this perfectly clear: The State will not shut down on July 1. We have a few days to work out a compromise on our spending plan that meets the needs of all Pennsylvanians.

To get the budget process moving, as you may recall, we as the House Democrats passed a no-tax budget on May 23. The Senate sent a revised version back to us on June 20. House and Senate members have met among themselves and have met with the Governor attempting to work out our differences – the two budgets plus the associate issues of statewide concern, including transportation, health care, and the issues of energy.

Throughout this budget process, I have remained consistently in contact with our House leaders who are negotiating the final product. We have attempted to make sure that our priorities of this House, working in conjunction with the Governor and the Senate, that they are adhered to. In May, as you recall, the House Democrats passed a no-tax budget that represented a responsible starting point and reflected our priorities – education, health care, service to children, the elderly, helping working families, and reducing our dependency on foreign oil. The House Democrats' budget shows strong support for

education, the disabled, and those who care for the disabled and seniors and children.

The House Democrats are united in our commitment to achieve Pennsylvania's priorities. That includes a balanced budget plus a plan to improve our State's overall transportation system, including roads, bridges, and mass transit, health-care reform and reducing our dependency on foreign oil. House Democrats are united in our commitment to work hard for all Pennsylvanians as we craft this final budget plan yet live within our means. House Democrats have a strong sense of the priorities that need to be met in the State budget, whether a few thousand dollars for small local or hundreds of millions needed to address the statewide transportation crisis.

I would like to talk a little bit about the differences in terms of the Senate version of the budget versus what we talked about. In agriculture, there was a half-million-dollar cut in farmers' market programs. There was also over a \$130 million reduction in things like the Opportunity Grant Program, the customized job training, housing redevelopment, community conservation, the World Trade, industrial resources, the Benjamin Franklin Technology Fund, and the Community Action Team. In DCNR (Department of Conservation and Natural Resources), there was money reduced from forest management and State parks. In education, over \$145 million – \$75 million from the accountability grant, \$70 million from the Classrooms for the Future, \$15 million from "Science: It's Elementary," \$5 million for adult family literacy, \$7 million for teacher professional development, \$2 million for teachers colleges, \$3 million for dual enrollment, and money from the State Library. Environmental protection: \$1.6 million from environmental protection programs. From health: \$1.2 million for State health-care centers, \$1.7 million from local health departments, \$1.3 million from the Pennsylvania Reporting Intervention System. From Health Care Cost Containment, there was also a reduction of \$2.4 million. From labor and industry: from training activities, \$7 million from there; \$5 million from industrial partnerships; \$500,000 from occupation and industrial safety. From PEMA (Pennsylvania Emergency Management Agency): in terms of flood disaster, \$9.5 million. From child-care services: \$6 million. From mental health: \$12.4 million. From Nurse-Family Partnership: over a half a million. From the Human Services Development Fund: not restored. Elimination of funding for three hospitals in Pittsburgh, Philadelphia, and north Philadelphia. Those are just some of the reductions in the Senate version.

The House Democratic budget included additional funding for early education programs. They have proven to make a difference in student learning. The House Democratic budget included a much-needed cost-of-living adjustment for the people who care for the disabled. The House Democratic budget also met the needs for long-term care, children and youth programs, community mental retardation, attendant care, and other services for people with disabilities.

Mr. Speaker, may I get a little order, please?

The SPEAKER. The gentleman is entitled to be heard. Caucuses in the side aisles and the rear of the House will break up. Members will take their seats.

The gentleman is in order and may proceed.

Mr. D. EVANS. Mr. Speaker, I just read off – and I know it was a lot – I just read off some of the differences between the budget that we passed on May 23 and the Senate version of the bill they passed on June 20. I am not saying we are all right and

they are all wrong. I am not saying that. I am saying there is a difference of an opinion, and we need to reconcile that difference of opinion. I am not saying that the Senate, that the Senate is all wrong in what they are saying, but what I am saying is, I do not believe that we are wrong. I believe that we should have a chance to have a discussion.

I believe that we should talk about energy, which is a very important issue. We had a caucus today, and on our side of the aisle, there was a lot of passion within our caucus about addressing the issue of energy, moving away from this dependency on foreign oil and trying to make Pennsylvania energy independent. There was a discussion about health care. There are a lot of Pennsylvanians who do not have health care, and the members on this side of the aisle believe that we should have a discussion about it. There was a discussion about the need to deal with investments in our community through RCAP (Redevelopment Assistance Capital Program) in terms of raising the cap. There was an issue of not losing the Penguins in the city of Pittsburgh and in Allegheny County with an arrangement that the Governor, the county exec, and the mayor did in western Pennsylvania. All of these are issues that we believe we need to continue to discuss how to solve these problems.

We do not profess that we have all of the answers. We think that some of you have some great answers and the Senate Republicans, the Senate Democrats, and the Governor. But we believe we need to keep working, and we need to keep working and doing what is best for the people of Pennsylvania, because in passing this budget, this budget is about the people of Pennsylvania, and we do not think that this budget goes far enough in terms of dealing with the issues of the people of Pennsylvania.

We recognize that the people work hard for their money, and we should take that very seriously. We should not, we should not be raising taxes on the people of this State; we should be trying to figure out other ways how we handle that. But sometimes, if we are going to be honest with ourselves, sometimes raising taxes or additional revenue may be necessary, but the fact is, with all of the money that we had come in this year, this is something that will not be necessary.

Even though the Governor proposed a tax increase in February, which half of the sales tax was for the purpose of the government and half of it was for property tax relief, unfortunately, we did not really take up that issue. I know that the majority leader and the majority whip have talked to some of the people on that side of the aisle and believe that we should ultimately deal with property tax relief and we should try to get additional property tax relief, and I know that the majority leader and the majority whip feel very strong about reaching some kind of accommodation, but unfortunately, folks, we are at a point where the clock is ticking, and we know we need to get some things done.

So this is what I would like to suggest – and unfortunately, I reached out to the Governor's Office; I did not get to talk to the majority leader in the Senate, but I have got a call in to him – this is what I would like to suggest. I would like to suggest a nonconcurrency on HB— I would like to suggest, I would like to make the recommendation of a nonconcurrency on HB 1286, and I want you to listen to my thinking.

Here is what I am suggesting: I am suggesting nonconcurrency. We begin to put some work teams together. We put an energy work team together between this House and

this Senate and the Governor's Office and try to work the energy issue out. We put a work team together on the health care and work this out. And that once we put these teams together over the next couple of days, in my view, in conjunction with the energy and the health care and the budget, and we can work it, we can work this, like, next week. We can work this next week, that we got a team. You know, my suggestion is going to be that the executive directors of the Appropriations Committee and the Budget Secretary get together and try to move along the budget. So by that way we will have the budget team, the energy team, the health-care team, and we will all be trying to work out whatever differences that we have among ourselves.

I think it is important that we work those issues out. Those issues are very key to doing the right thing here in Pennsylvania. The budget is also very much a part of all those issues. So the conversation that was raised with me yesterday about understanding the strategy, I just put out the idea for a strategy. So what I would hope, Mr. Speaker, after what I have just read off to you and just described to you, is about a strategy to move this process and ultimately complete the people's business.

So I would ask, Mr. Speaker, that on HB 1286, that we nonconcur and send it to conference committee so we can continue attempting to work out what our differences are that we have and not just, you know, sometimes rush through and think that we have solved these things, because the Governor has been consistent. In February he introduced a budget, March, April, May. He feels like there were some things that unfortunately were not really worked out. We still got some more time. I would like to see us continue to work to resolve those issues. We all recognize we all have to compromise. We on the House Democratic side understand we have got to compromise. I know the Governor realizes he has to compromise, and I know the Senate realizes they have to compromise. And you will see that, folks, and it is not completed, and I do not want to make too much, like on the transportation issue. As a result of us pushing the transportation issue through, you are going to see an initiative that comes back here with more money for our roads, our bridges, and our transit system, but that came about because we pushed a bill over there to the Senate, and because we pushed that bill over there to the Senate, we are now in the position with a potential conclusion to our transportation, which will be a large infusion of money, which will be a jobs program, which will be an infrastructure program, which will benefit all Pennsylvanians, but that is because we work together. We work with the Senate, we work with the Governor, and now we are prepared to work on these issues like energy, like health care, like Jonas Salk, and those other issues. We want to work together.

Mr. Speaker, I ask that we nonconcur on HB 1286 and hope that members will agree with my recommendation. Thank you, Mr. Speaker.

The SPEAKER. Representative Evans requests the House nonconcur in the amendments made by the Senate. Those supporting Representative Evans's position will vote "no."

The Chair will advise the members and direct their attention to rule 19(b): "Debate on any debatable question related to the General Appropriation Bill or a nonpreferred appropriation bill shall be limited to five minutes each time a member is recognized." Rank-and-file members are limited to two times at the microphone. There is a courtesy that has traditionally been

extended to leaders that their time is not limited, nor the number of times they are allowed to speak.

The Chair recognizes Representative Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

The hour is getting late. We are on June 30. The deadline will soon arrive in the Pennsylvania State Capitol.

And I reach out for the gentleman from Philadelphia when he says that we want to work in a bipartisan way to get the people's business done in Pennsylvania, the most important document that we will adopt this year, a spending plan.

Mr. Speaker, in February when the Governor came before the General Assembly to give his budget address and listed all the accomplishments that he wanted to accompany and the taxes that went with it, the General Assembly at that point was confused, and we were confused because we had an agenda and the agenda was that we had just come off an election in November where the people of Pennsylvania spoke very loud and very clear that they did not like the way we do business in Pennsylvania, that we needed to change our ways, that we needed to be more accommodating, that we needed to be more responsible. The gentleman has asked us not to concur with HB 1286 on June 30 at a quarter to 8 in the evening, 4 hours or 3 1/2 hours from our deadline, and this State then will wake up tomorrow morning with not a budget, with not a spending plan. So what the people of Pennsylvania said to us in November, we are now going to put that aside and say, here is 6 or 7 months that have gone by; we did not hear you. I do not think so.

My remarks back in February were this: The budget is a public policy that is driven by numbers. Do we understand what that means? It is our policy, what we adopt in this State House. And the Governor might have some genuine and good ideas, a lot of things that he wants to see come forward for the people of Pennsylvania, but the people have said to us, you need to clean up your house; you need to stop doing things the way you used to do.

Now, we had budget hearings in February. The gentleman from Philadelphia took us throughout the State, which I commend. I thought he did a great job and it was a great idea. We listened to the people of Pennsylvania. They came to town meetings. It was very, very productive – very productive – and I commend the gentleman from Philadelphia for reaching out that way, because I believe that that is the way we are supposed to operate in government. But, Mr. Speaker, tonight, if we take the lead of nonconcurring, this is what happens: It goes back to the Senate, they either insist on the amendments that they put in this bill or they do not, and the clock starts to tick, and then if they do not, a conference committee is appointed, and then, what the gentleman is saying, we start to negotiate.

We have a very genuine idea what we need to negotiate. We can negotiate and pass this tonight, put it on the Governor's desk, and continue to go on and still continue to negotiate. The people of Pennsylvania have a budget. The people of Pennsylvania have some guidance. Our school directors, our school directors have now said, 501 school districts, we have some type of a course that we can go to. But a nonconcurrence here, this is what happens, and I have been here a long time, just like the gentleman has been here a long time. I think we share the same amount of years together. It goes on, and then all of a sudden I do not agree with this item and you do not agree with that item, and before you know it, we are in a lock. And who is going to suffer? Who is going to suffer? Who is going to be confused? Oh, we are fine here because we understand what the

procedure is all about, but the people that do not come here every day, the people that do not listen to this debate every day do not understand that, and again, a label goes across the board. It just does not happen with Republicans; it just does not happen with Democrats. It is the whole General Assembly, and that is what we are trying to avoid. Let us step up to the plate. Let us do what we were sent here to do. Let us send this to the Governor, and if the Governor does not like what he has, he has certain measures, and we as a General Assembly in a bipartisan way can work this out.

When the Governor first got elected, I think it was March of '03, the Governor came before us and passed a no-tax-increase budget – we are going to adopt the same budget we did last year – and some of those items were flawed. The General Assembly passed the budget because it was a political move. It was a political move, and whether it was right or whether it was wrong, it was a political move. So we wound up with a budget that we could not live with. Well, you know what, Mr. Speaker? We worked it out. We worked it out. We sat here, we worked it out over several months, and we came in with a final budget, and nobody was inconvenienced – nobody.

Now, they spoke about different— When you look, when you compare what the Governor was trying to give us and what we with this budget in front of you is, in front of us tonight, and what is the difference, we are not that much far apart. We increased education. And what we did was, we took last year's budget and we went over that. Remember, as I said yesterday, when that budget was presented to us in February, \$545 million worth of cuts and \$947 million worth of expenditures. Now, if you put the \$545 million back and you have \$947 million, you are on a road, and that is where we came up and we were starting to panic that there would be a tax increase. We on this side of the aisle said from the very beginning, when the revenues were not as strong as they are now, that we had no intention of voting for taxes, that we had to listen to what the people were telling us and tighten our belt, and that agenda is still in front of us. But to delay the inevitable, to put it aside and say now all of a sudden we are going to get together and we are going to work as a team, well, we had since February to work as a team. We put that out there.

This budget here, if you pass it, we can go on tomorrow and the State is not inconvenienced. Make no bones about it, this is the way the week goes: You have got a holiday in the middle of the week, which is the Fourth of July. The 7th of July, that is when people start getting inconvenienced. To accomplish the agenda that was just described to you, I do not see how you can do it. I do not see how you get there on that type of an agenda, unless you want to be what the legislature was labeled before, just push it through, and that is what we are trying not to do. That is what we are trying not to do. And in the beginning, when the budget was presented by the Appropriations chairman, I said, what a delight: We are going to go out on the road, we are going to talk to the public, we are going to take public testimony, and we are going to hear from people – not people from special interests, the public – but unfortunately, it fell upon deaf ears.

I believe that this is a mistake tonight. To nonconcur, you are not doing the people's business. That is what we were sent here for, and a lot of confusion is going to set in. I am not trying to confuse anybody; I am just telling you how I feel about this. I am putting myself in the viewers' position what they are watching tonight or what they read in the paper tomorrow, and

you can best believe, there they go again; the fifth year in a row they cannot get their work done on time, and that is exactly the message that we are going to deliver to the people of Pennsylvania.

I would urge you for a concurrence on HB 1286. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader, Representative DeWeese.

Mr. DeWEESE. "We live my Darling, in an Age of Controversy and Tryal. What will be the Consequence I know not." A love letter from John Adams to Abigail just on the eve of the American Revolution. David McCullough has spoken in this hall, and I thought it appropriate to remind my good friend, the previous speaker, that we do live in an age of trial and controversy. But his wafting back to those halcyon days of yesteryear should have at least been punctuated, my honorable colleague from Delaware, by the realization that you, sir, were the Appropriations chairman in '03 and in '04 and in '05 and in '06, and if it were someone else, it were a happy simulacrum of you. But it was a GOP partisan who gave us four consecutive budgets that were somewhat tardy. The wheels of the State apparatus did not come plummeting off. We accomplished our goals. So the sky, honorable Appropriations chairman, is not falling.

I might add, and then I will relinquish the microphone because I want to enjoy and participate from time to time in responding to other members' commentaries, that one of the big reasons I wish to nonconcur tonight, along with Chairman Evans and many others, will be that I want to maintain a reduced property tax impetus in Greene and Fayette and Washington and the other 64 counties. As we all know, recently through the efforts of Governor Rendell and many of us on both sides of the aisle, senior citizens over 65 whose annual income was under \$35,000 are commencing to receive substantial property tax reductions. Mr. Levdansky, Mr. Rohrer, and others are working steadfastly to realize even more property tax reductions for the general population, not just seniors who are challenged economically. But when the Governor sends a proposal to the Senate, as he did recently, and tens and tens and tens and tens of millions of dollars are ripped out of the Governor's budget, there is only one way to make those dollars up, and that is elevated property taxes in our cash-strapped school districts back home.

So there are scores of reasons that I will vote to nonconcur. Chairman Evans enunciated many of them, and some will bear repeating as this wonderful evening of debate roars forward. But preeminent in my thought process as I relinquish the microphone is, the Republicans had control of the General Assembly's appropriations process during the first 4 years of Gov. Edward G. Rendell's nomination and election and public stewardship, and 4 years in a row they were late and the world did not come to an end.

Mr. Evans said it, and I think Mr. Civera enunciated it again: I think July 7, it is a different paradigm, but tonight we have a chance to nonconcur. I have high confidence in my talented colleagues on the other side of the building, on the other side of the aisle – Pileggi, Scarnati, Armstrong, et al. I think we are close to a compromise. We have been meeting with unrelenting regularity with the Governor and his chief lieutenants, and the only way to get this measure rolling is to nonconcur and get us into a mutual setting where we can do the business of the State.

I think a budget will be forthcoming soon, and tonight's nonconcurrence motion will be a first step in that effort. Thank you, sir.

The SPEAKER. Representative Smith.

Mr. S. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, I would rise to urge the members to concur in voting for this budget. When we set out on the path of dealing with the budget, I will not recite the entire history, as the Appropriations chairman was making reference to, but I will touch on a couple of points.

When the Governor started out with his budget back in February, it was approximately a \$27.3 billion spending plan that included a variety of taxes, certainly as part of the direct General Fund budget as well as some of the peripheral issues that the Governor has attempted to tie into this budget – transportation, energy, health care. I will concede that as the bags of mail were finally opened at the Department of Revenue – and I have jokingly said they must have kept a couple of truckloads off the dock from April until the middle of June just so that this huge number can roll in – nevertheless, we have seen a significant increase in the anticipated surplus, which does ease the need for a tax increase. However, I would say that it is through our relentless insistence that we control spending that you have seen the Governor back down from his tax increases. He has not backed down completely, though, and when the majority Appropriations chairman suggests that at this time, on June 30 as the midnight hour comes upon us, that we should break out into a budget work team, a transportation work team, an energy work team, and a health-care work team, I would suggest to you, Mr. Speaker, that that is the wrong direction to go. The fact is, we can continue to work toward some of those events, some of those issues, and if that is the Governor's insistence, then I am sure the legislature will continue to respond, not necessarily in an agreement but we are not wrong just because we disagree. However, right now, at nearly 8 o'clock on June 30, there is a budget bill before you. This would be the second budget that you would have an opportunity to vote on that truly does contain spending. Even this budget probably spends a little more than some of the people want to spend, not enough for the others – maybe that makes it a decent compromise – but this is the second opportunity for each of us to put before the Governor a reasonable spending plan.

We do have an obligation. Mr. Speaker, to put a budget on the Governor's desk by June 30, and yes, the world does not come to an end tomorrow. We know that that is not the case, the world will not come to an end, but it is important for us to stay focused on what our responsibilities are and to do everything in our power. Likewise, putting this budget bill on the Governor's desk does not change the world either. We need to put it on his desk, though, Mr. Speaker, because that is our duty.

I will not belabor the points around it. I think both of the Appropriations chairmen made the general case on the pros and cons of this budget enough. We have all been around this bill a while now; we know what it is. The fact is, Mr. Speaker, if you want to do your duty, put the budget on the Governor's desk. The other issues can be worked on. We do not have to leave tonight; we do not have to leave tomorrow. Our members will be here. We can be here Monday. We can be here Tuesday. We can be here on the Fourth of July if you want to deal with transportation. If you think you have the votes to deal with the energy-tax issues, the health care— Funny, though, I had heard the Governor back away from some of these, and now I see they

are back on the table. Perhaps that is the best reason, Mr. Speaker, we should vote for this budget now, because I can guarantee you that the target will continue to move. If you nonconcur, then we will be back in a conference room trying to figure out what to do with the budget, and it will be not just no transportation, no budget; it will be no energy, no transportation, no budget. Health care will be back on. It will be caught up in a quagmire of these issues that really need to be dealt with one by one.

This is the night to settle one major issue: the budget. We can settle this budget and move on. If you do not, I think what we will end up doing is we will be caught up in all of these issues. The target will keep moving. The Governor's list will change once again, the priorities will change once again, and we will be sitting here in the middle of July or the middle of August with no budget and none of these issues actually resolved.

So I think it is pretty simple, Mr. Speaker: Let us finalize the budget, and then we can move on to the other issues at hand. I would urge the members to vote to concur. Thank you, Mr. Speaker.

The SPEAKER. Representative Scavello.

Mr. SCAVELLO. Thank you, Mr. Speaker.

Would the chairman of Appropriations, the gentleman, Mr. Evans, submit to interrogation?

The SPEAKER. The gentleman is reminded that his interrogation counts into his 5-minute allotted time.

Mr. SCAVELLO. Sure. Thank you.

The SPEAKER. The gentleman is in order and may proceed with his interrogation.

Mr. SCAVELLO. Mr. Speaker, on what day did we receive this budget back from the Senate?

Mr. D. EVANS. June 20, Mr. Speaker.

Mr. SCAVELLO. June 20, and here we are on the 30th asking not to concur.

Mr. Speaker, in my district and all the districts across the Commonwealth, we have a tremendous amount of State employees that have received a letter, many of them saying that they are not essential employees, that if we do not have a budget, they are not going to have work. And they work day to day, some of them work day to day to pay their taxes, for food and for children, and here we are, 10 days, and we sat on this budget. If we were not going to concur, why not put this vote up on the 20th or the 21st or the 22d? Why hold this vote off for 10 days?

Mr. D. EVANS. I was hoping, Mr. Speaker, we would have been able to negotiate all those issues that I have described and resolve those issues.

Mr. SCAVELLO. But at the same time, if we had nonconcurrred back on the 20th or the 21st, what you are requesting now could have been taken care of, and right now we might have had a budget in front of us. But we have lost 7, 8 days, 10 days of negotiating.

Mr. D. EVANS. Mr. Speaker, we did not lose any time of negotiating, because since that period of June 20, there have either been discussions by the members, leaders, or there have been discussions by our staff in that period of time.

Mr. SCAVELLO. But, Mr. Speaker, if we had voted to nonconcur 10 days ago, today we probably would have a budget in front of us. But now here we are, on June 30, and we are going to vote to nonconcur.

I am sorry, Mr. Speaker, but I urge the members to concur and send this bill to the Governor. Thank you very much.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Representative Williams.

Mr. WILLIAMS. Thank you, Mr. Speaker.

I rise to support nonconcurrency on this bill. As we spoke several days ago about crafting good anti-gun-violence legislation, I think this would give us the opportune time to get some good, meaningful bills in place. So I encourage all my members, particularly from the Philadelphia delegation, to join in nonconcurrency on this bill.

The SPEAKER. Representative Metcalfe.

Mr. METCALFE. Thank you, Mr. Speaker.

Mr. Speaker, we have been waiting, as one of the prior speakers said, for 10 days now to have the opportunity to either vote to concur or not to concur and actually see the budget process move ahead and see if there are enough votes in this chamber to put this budget on the Governor's desk. This budget bill that was sent back to us was reduced from what was sent over by the House. We made our effort here with the Civera amendment to try and rein spending in, to try and keep spending at below the rate of inflation, and we failed in that effort, and the Governor's essentially budget was sent over to the Senate.

The Senate did send us back a budget bill that has a reduced level of spending from where the Governor was asking and from where the majority of this chamber had sent it to the Senate, and the history of the process shows that if a bill will leave and go back into a conference committee, year after year after year we see spending increase above and beyond what the bill originally was in the House. So a vote for nonconcurrency, sending this bill back into a conference committee process, Mr. Speaker, will ultimately result in, as the gentleman from Philadelphia said earlier, trying to help fulfill all of those needs that he still sees out there and still in trying to address all those concerns that he was looking at. So when we see a vote for nonconcurrency, Mr. Speaker, ultimately that nonconcurrency vote is going to put us in a situation to see more spending, not less, to not see the same level of spending as being proposed here tonight but to see more spending.

And, Mr. Speaker, the wave of reform that we saw last year, I know the people that I have heard from around Pennsylvania would really like to see government live within its means. I know one of the earlier speakers and I am sure more of the latter speakers will probably be addressing the multitude of issues that are non-budget-related but have been drawn into the budget process, as happens every year, Mr. Speaker.

Now, Mr. Speaker, part of the problem with the budget process is that we allow it to be held hostage by a multitude of other issues during this season every year. Mr. Speaker, the issues that were addressed by one of the prior speakers, the multitude of issues that he would like to see addressed before we actually vote to fulfill our constitutional duty and pass a budget, Mr. Speaker, those issues are holding this budget hostage. The Democratic leadership, Mr. Speaker, has held this process hostage until tonight, where we are at almost 8 o'clock, with 4 hours left to the deadline, 3 hours left to the deadline under our rules. Now, Mr. Speaker, I am thankful that the Democratic leadership did bring this bill up for a vote and give us a chance to actually do what we should have done 10 days ago and vote on this budget, Mr. Speaker.

Now, Mr. Speaker, let me be very clear: Reform is not taking more money from the taxpayers, Mr. Speaker. It is not continuing to grow government spending above and beyond what the economy can handle, what businesses in the economy

can handle, and what the people of Pennsylvania can handle, Mr. Speaker.

One of the conversations that we have not had this year, Mr. Speaker, related to this huge surplus that eventually came in, and reference was made earlier as to, you know, where were all the envelopes coming in from April on, and we are at \$500 million, \$600 million plus now in surplus, Mr. Speaker. Mr. Speaker, a surplus means that the taxpayers of Pennsylvania paid too much for their government services this year, Mr. Speaker. A surplus means that the taxpayers have been charged too much. The conversation that we should have been having was about reimbursing the taxpayers for services that they were overcharged for, Mr. Speaker, reimbursing them the surplus. But no, that is not the conversation. The conversation is trying to keep this Governor's administration in check from spending too much beyond the surplus and keeping him from raising taxes this year, Mr. Speaker, a valiant effort that the majority of us on the Republican side will continue to battle for, and I am sure some of our Democratic colleagues would join us if the tax increases raise their ugly head once again over the next week as we continue to battle the budget, Mr. Speaker. But, Mr. Speaker, the best way to avoid tax increases, the best way to avoid further debt increases, Mr. Speaker, is to take this budget bill and place it on the Governor's desk, Mr. Speaker.

Mr. Speaker, I would vote to concur with this Senate version to try and avoid any future spending increases that will be driven through conference committee, Mr. Speaker. Thank you, Mr. Speaker.

The SPEAKER. Representative DeWeese.

Mr. DeWEESE. I appreciate the sturdy and unostentatious demeanor of the previous speaker. I understand his consternation, but it should be placed in the context, in my view, and that is the fundamental essence of this debate, of a document that if we were to concur, and I certainly would opine that we should not concur, but if we would, there would be fewer dollars to help people with disabilities get in and out of buses in a variety of our counties. There would be fewer opportunities for the broad swath of my wonderful friends on the Republican side to help out their Little Leagues and to help a ramp construction at a local senior citizen center. Those projects have all been ripped out of the Senate budget. The chances for us helping volunteer fire companies would be somewhat debilitated. We have so many programs that we want to work on and some that we will shave relative to the amount of dollars available.

But in our negotiations, and I am sure the honorable gentleman keeps up through the media and through discussions in his caucus, \$27.1 billion or \$27.4 billion, we are very close. It is not as if we have been lavish, it is not as if we are asking for a tax increase, and it is not as if Gov. Edward G. Rendell did not win a stunning reelection victory. He won with one of the most dominant percentage landslides in modern Pennsylvania experience. So the Governor comes to this dialectic with a lot of momentum, a lot of impulse, and some very good programs.

One of the reasons our economy has reacted so favorably and one of the reasons that the Department of Revenue was not able to speculate specifically about what kind of money would be generated by our tax yields was because we have an economic development plan that was launched with Republican votes and Republican help – glory hallelujah – in the first year of the Rendell administration.

So we have a pretty robust economy in this State. We are not going to raise taxes. We are within days, I believe, of reaching a compromise, and the mechanics of the process importune us to ask for a negative vote, to ask for a nonconcurrency, so that the process of negotiations within the context of a conference committee can commence.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman from Philadelphia, Representative Thomas.

Mr. THOMAS. A parliamentary inquiry, Mr. Speaker, before I get started.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. THOMAS. My colleague from Philadelphia County spoke and only used 1 of his 5 minutes, and he has consented to me having the 4 on my 5, which would give me 9 minutes.

The SPEAKER. I am sorry. The Chair cannot give the gentleman that latitude.

Mr. THOMAS. Thank you, Mr. Speaker.

The SPEAKER. Nice try.

Mr. THOMAS. Thank you.

Mr. Speaker, I rise to nonconcur, and I rise to nonconcur for a couple of reasons.

Number one, Mr. Speaker, like you, I understand that we can concur and then negotiate with the Governor. The Governor has 10 days before he has to sign this bill into law. The Governor can use his line-item veto. I understand that there are opportunities to negotiate, but here is the problem: The Senate used a machete on what the House sent. They did not just use a knife or use a razor, they used a machete, and they cut up what the House sent over, which was balanced, in such a way until it raises serious questions about, where are our priorities?

Number one, Mr. Speaker, in public welfare, and I am talking about child-care services, Nurse-Family Partnership, almost \$13 million gone. In the Department of Health, almost \$27, \$28 million moved around. In education, Mr. Speaker, I have said repeatedly, you cannot ask children, young people, for Cadillac performance in education and you are spending Volkswagen dollars. If you want the best, you have got to make the investment. You cannot ask folks to stay out of jail and you do not make the commitment to help them go to Yale. You cannot do it. If you want, if you want good outcome, you must invest up front.

I have got a problem with how the Senate hacked up the Pre-K Counts Program, hacked up the STAR (Standardized Testing and Reporting) Program, hacked up investments in the Department of Education which would help us control the outcome. Invest early, reduce how much you have to spend on the back end. I have said repeatedly, jobs from February all the way up to now, you cannot have over 30-some counties in Pennsylvania with unemployment double the State's average. We must find a way to put people to work, especially people who want to work and who are able to work. Taking \$29 million out of the Opportunity Grant Program is not a commitment to put people to work. Cutting the Customized Job Training Program is not a commitment to put people to work.

So, Mr. Speaker, we must operate from a position of strength, not a position of weakness. If we concur on 1286, yes, we have time to negotiate, but it will be negotiated from a

position of weakness, not a position of strength. If we nonconcur, then we can operate from a position of strength, because the Senate has to stay here and work this out.

Mr. Speaker, I stand for people and families first, and I am willing to devote whatever time is necessary to deal with that interest and to deal with that issue. Mr. Speaker, time is on our side. Yes, we have a constitutional mandate, but we have a moral obligation to put in place a budget that meets the needs of all Pennsylvanians, not just a select few. So that constitutional mandate, Mr. Speaker, should be of less importance than our moral obligation. Yes, we should be guided by it. If we can get it done by 12 o'clock, okay. But given the way the Senate whacked up what we sent over there, we cannot get it done at 12. So, Mr. Speaker, I strongly urge my colleagues on both sides of the aisle to nonconcur and let us negotiate from a position of strength and come up with something that we all can appreciate.

Do not forget, make the investment today, you will see the return tomorrow. Thank you, Mr. Speaker.

The SPEAKER. The Chair will ask the members to please be patient and please be courteous and try to keep the noise level down.

Representative Pickett.

Ms. PICKETT. Thank you, Mr. Speaker.

Mr. Speaker, this is the 30th of June, the evening of the 30th of June, the date of our constitutional requirement, and our citizens, our constituents, the good, hardworking citizens of the State of Pennsylvania, elected us to responsibly keep our government functioning. They rightfully expect this of us.

Mr. Speaker, the Senate voted this budget bill 49 to 1; that is 49 to 1, Mr. Speaker; Senators from all corners of this Commonwealth. In contrast, the House Democrats have held this bill since June 20.

Mr. Speaker, no budget can be perfect to all people, but this budget is a good piece of legislation for Pennsylvania, and I believe a vote to concur is our responsibility at this time. A vote to nonconcur disrupts vital activities in this State, and I urge a vote to concur this evening.

Thank you, Mr. Speaker.

The SPEAKER. Representative DeWeese.

Mr. DeWEESE. Just 30 seconds, Mr. Speaker.

The former speaker, the gentlelady who made those remarks, would have more validity in that observation if the same refrain had been enunciated in '03 and '04 and '05 and '06. There was silence emanating from that microphone during those years when her Republican Party held sway.

This is a negotiating vehicle. This is not the final budget. And again, great calamity will not befall the State if this is not accomplished this evening. We still have several days of latitude, and again, for the final time, I hope. But it is amazing that in previous years with Republicans in charge of the process, my Republican friends did not take the microphone and admonish their own leaders for not passing a budget at the midnight hour.

The SPEAKER. The gentleman from Philadelphia, Representative Cruz.

Mr. CRUZ. Mr. Speaker, I rise also to support my side of the aisle on not to concur. We need to have a little bit more time to be able to allocate more time to finding a solution on the crime in Philadelphia, and before future budgets allocating money for more land for cemeteries, we need to address this issue, so we are asking to nonconcur. Thank you, Mr. Speaker.

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. The gentleman from Delaware County, Representative—

Mr. S. SMITH. Mr. Speaker?

The SPEAKER. The minority leader, Representative Smith.

Mr. S. SMITH. Thank you, Mr. Speaker. I will likewise stay with the 30 seconds that the majority leader just used.

Past year's performance can be one of these nit-picky little things that we will point to from time to time, but if you are going to point to the past, then you have got to look at the whole record, and the fact is that each party has been in control of this House over the last many, many years, usually in some large cycles, and the fact is, Mr. Speaker, there are times when we have been able to pass budgets on time. There are times when the Republicans were running things when we were able to pass budgets very early. The fact is, Mr. Speaker, that if you look through the Ridge-Schweiker years, all of the budgets were passed on time and with virtually the same leadership teams involved over the past 4 years. The common denominator over those 4 years was the members of the legislative leadership — House, Senate, Republican, Democrat. The new factor was the Governor.

So I would argue, Mr. Speaker, that the timeliness of the budgets has not been so much a function of the leadership on the floor of the House as it has been in the direction of the Governor's Office. This year, Mr. Speaker, arguably, there are some real changes, certainly in the Senate leadership, huge changes there. So when we compare past years to this year, Mr. Speaker, I think it is a little bit off the mark. The fact is, Mr. Speaker, we have an opportunity to do the right thing now. Regardless if we come up short of the goal in past years, the fact is, Mr. Speaker, we have the opportunity to do the right thing now, and that would be to concur on HB 1286.

The SPEAKER. Representative Kirkland.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask for a nonconcurrency.

Mr. Speaker, approximately around May, well, on May the 1st, 2003, President Bush landed on the USS Abraham Lincoln, and when he landed on that aircraft carrier, he declared "Mission Accomplished"; big banner, "Mission Accomplished." We find out 4 years later, Mr. Speaker, that that is not so. So many casualties, so many young people, men and women, who have lost their lives because the mission is not accomplished as of yet.

Today, Mr. Speaker, tonight my colleagues on the other side want us to say the mission has been accomplished. They want us to say the mission has been accomplished even though violent activities and young people are still losing their lives in Delaware County, Philadelphia County, Lancaster County, Allegheny County, and counties throughout Pennsylvania, but they want us to say the mission is accomplished, Mr. Speaker. Mr. Speaker, we stood on this floor a few days ago and said that the mission will not be accomplished until we address the needs of those persons in our communities, until we address the violence in our communities and throughout Pennsylvania.

So, Mr. Speaker, I rise to ask for a nonconcurrency. The mission is not accomplished. And as said by Verizon, or one of those cell phone companies, "Can you hear me now?" Thank you, Mr. Speaker.

The SPEAKER. Representative Wheatley.

Mr. WHEATLEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise, one, to ask my colleagues to join me in nonconcurring—

The SPEAKER. The gentleman will pause for a moment.

The Chair will again ask members to keep their conversations to a minimum. The gentleman is entitled to be heard.

Representative Wheatley.

Mr. WHEATLEY. Thank you, Mr. Speaker.

I rise to again ask my colleagues to nonconcur on this bill. And, Mr. Speaker, I feel like we are doing our constituents a disservice because on the one hand the members of the opposite party have consistently talked about our side of the aisle not moving quick enough to present a balanced budget, and if I am not mistaken, I believe I heard the chairman of Appropriations talk about a budget plan that we passed back on May 23 and that the Senate, which is controlled by Republicans, sat on that budget from May 23 until June 20, and I did not hear too much conversation around moving this process forward so that we can get a balanced budget by June 30. And then I hear that on this side of the aisle we should concur on the budget because this is a great spending plan, that this is a plan that will move us forward as a Commonwealth.

When I have to highlight again what I think many of my colleagues on this side of the aisle have said, I have been here 5 years now, this is my fifth budget cycle, and in the 4 years previous to this one, I do not think I ever had a budget that was passed by June 30, and we would like to place blame on the Governor and we would like to say that the Governor has spent enormously and has put this Commonwealth further in debt, but if I am not mistaken, prior to this year both chambers of the General Assembly were controlled by Republicans.

So if I understand this process right, it was not just the Governor that was spending, it must have been the Republican Party that was spending as well or allowing for the spending to happen, and it was not just the Governor that was outlining, or if you want, as claimed, that he was putting us in debt, which I do not necessarily believe, it was not just him doing it by himself, and so we like to get into the finger-pointing game when at the end of the day, it is not really about finger-pointing. At the end of the day, it is about getting some serious business done. And you cannot tell me that the budget that was sent over from the Senate is about getting serious business done when you are wiping out whole line items that have significant contributions to this Commonwealth.

Now, I do not have to repeat many of the ones you heard, but you have whole line items. I think I heard one of my colleagues talk about there are constituencies that are in his district that are State employees. Well, some of those State employees are bound to be impacted when you take out whole line items from the Department of Community and Economic Development or from the Auditor General's Office or even from the Attorney General's Office. When you are cutting significant dollars from these lines and you tell me that this is a great budget plan for us to move forward on, I think we do ourselves and our constituencies a disservice.

So again, I would ask my colleagues on both sides of the aisle to vote to nonconcur, continue to negotiate this budget so that we can go home and all of us can hold our heads up high of doing something significant for the people of this Commonwealth. Thank you, Mr. Speaker.

The SPEAKER. Representative Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, I sit here tonight and I am listening to the different gentlemen, Representatives, get on the floor and stating what this budget cuts, and one gentleman used a term "machete," and I am just amazed when I look at what this HB 1286 is.

Let me go over some of the items that the Governor did not even have in his budget: child welfare; the TANF (Temporary Assistance for Needy Families) transition, we put over \$15 million; restores the civil air patrol; biotechnology research; Regional Cancer Institute; arthritis; rural cancer outreach; agriculture research; agriculture promotion and education; hardwoods research; marketing to attract tourism; local development; hospital burn centers. This is over what the Governor did or some of the items were not even in the Governor's budget. Remember, there were \$545 million worth of cuts in that budget. So do not stand there and tell me or try to say that this document that is before us is inaccurate. It is not inaccurate.

When you look into alternative education, Philadelphia, listen, an additional \$22 million; an additional \$22 million. Job training programs, self-employment assistance, Science in Motion, New Choices/New Options – these were programs that all were restored. So I do not know, we looked at this very carefully. We looked at the Governor's budget that was passed by the House before it went to the Senate, and when this came back from the Senate, we compared it.

So I do not know, this budget could pass tonight, and I am telling you— Look, there was never a perfect budget, and do not let the people believe, do not send the message back home that there was. There was never a perfect budget. This budget restores those programs, but not only that, it restores the confidence of the people of Pennsylvania. By leaving it go to conference committee, you know what you are doing. You are delaying. Do not kid anybody. You are delaying. Ah, do not go ah, ah, because you are. You know, the truth hurts.

The SPEAKER. Representative King.

Mr. KING. Mr. Speaker, may I interrogate the chairman of Appropriations, the majority chairman, please?

The SPEAKER. Representative Evans indicates he will stand for interrogation. The gentleman is in order, and the gentleman is reminded that his interrogation counts as part of his 5 minutes.

Mr. KING. Thank you, Mr. Speaker.

Mr. Speaker, I was just curious, if I may have the majority chairman, when did this bill go over to the Senate?

Mr. D. EVANS. Mr. Speaker, this went over on May 23.

Mr. KING. Thank you, Mr. Speaker.

And it was reported out, I believe it came over to—

PARLIAMENTARY INQUIRY

Mr. S. SMITH. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. S. SMITH. This is information that is on the computer under the history. I believe the gentleman is asking questions to which he knows the answer, which would make them an improper form of questioning. As a point of parliamentary inquiry, is that correct?

The SPEAKER. The gentleman is correct, but generally when we are debating budget issues, there is some latitude afforded, and there were similar questions asked of the majority Appropriations chair by Republican members during this debate.

Mr. D. EVANS. And, Mr. Speaker, I did answer the question of my good friend who sits on the Appropriations Committee on the Republican side. Even though he asked me the exact same question about the date, I did answer his question. So fair is fair, Mr. Speaker. So I did answer that question.

Mr. S. SMITH. I apologize, Mr. Speaker. I did not hear some of the interrogation. I just know that these answers are well known by everyone here who looks it up on the screen.

Mr. KING. And, Mr. Speaker, thank you.

Actually, that was the only question I had for the chairman. I just wanted to make the point that it went over to the Senate on May 23. I believe it came back on June 20, and we now have it before us on June 30. So the Senate had this bill for a month. We are now going on the 10th, 11th day, and it is before the House for us to vote on.

And I would like to state just a couple reasons why I am going to vote for nonconcurrence: I cannot vote to support \$5.3 million in cuts to school lunch programs, I cannot vote to cut customized job training programs, and most of all, I cannot vote to cut \$145 million from our education budget.

Thank you, Mr. Speaker.

The SPEAKER. Representative Blackwell.

Mr. BLACKWELL. Thank you, Mr. Speaker. I rise to also add my voice in nonconcurrence.

Just the other day we heard some nice, eloquent, emotional speeches related to crime in the city of Philadelphia. Some of the answers to that crime, in my opinion, are education. Why for the life of me you would cut, take \$145 million out of education is beyond me. I do not understand that; \$5.3 million out of health, which would affect State health-care centers, local health departments. In the city of Philadelphia, these places are needed. These centers are needed.

It was said that the voters in November elected us because they wanted change. Well, we are about making that change. We are asking our Republican friends to help us make that positive change. We do not want to restore some of these cuts that were cut by that machete in the Senate. PEMA, \$9.5 million from that. That helped with flood disaster assistance. All these floods that we see in various States around this country, why would we not be ready in emergency cases? It boggles my mind.

My background is as a labor leader. I believe in job training. Jobs and education, Mr. Speaker, are the key to some of the crime problems that we are having. We have to have an alternative to that. It is not just enough to say no, no, no to whatever violence we are having but not have an answer other than that no. So we are trying to restore those cuts, and as the gentleman spoke before me, \$145 million out of education, Mr. Speaker, does not make any sense to me.

So I would urge my colleagues to vote for nonconcurrence until people in the Senate realize that the people in November voted for change. We are at the beginning of that change, Mr. Speaker, and as long as we get things back from the Senate like we got in this document, that change is going to continue. So I implore my colleagues on both sides of the aisle to vote for nonconcurrence, or I would say this: The change that you saw in

November will continue to be the change that we will enjoy on this side of the aisle.

Thank you very much, Mr. Speaker.

The SPEAKER. Representative Roebuck.

Mr. ROEBUCK. Mr. Speaker, I want to just say something very briefly about this budget. I want to talk specifically about what the budget does to one institution in my legislative district, what it does to Mercy Hospital. Mercy Hospital is a hospital that serves my constituents. It is a hospital that most of the people who use that hospital are disadvantaged. Indeed, it has the largest case load of medically disadvantaged individuals in the entire Commonwealth. Within the budget as it was sent to the Senate, there was an appropriation of \$1.5 million which is in the acute care hospital line, and it is a match. It brings down an additional \$1.5 million Federal dollars. It is what sustains that hospital. It is what gives that service to my constituents. The Senate in their infinite wisdom cut the item out of the budget, so in effect, what this budget does is it kills a vital hospital in my district. That is wrong, and I will vote against the concurrence in this budget.

Thank you.

The SPEAKER. Representative Petri.

Mr. PETRI. Thank you, Mr. Speaker.

Mr. Speaker, I am only going to address you at the moment, because the rest of the people in this chamber have already made up their mind, and I am also going to speak to the people at home.

We have an opportunity tonight to pass a very reasonable budget, a 2.69-percent spending increase, but it does not appear like that is going to occur tonight. It appears that something else is going to happen, something they call negotiation. Well, let me tell the people at home what they mean by negotiation. They mean they are going to get into your wallet deeper than 2.69 percent. I do not want them in my wallet. I do not want any more negotiation. I have spent months up here, as other members have, in the Appropriations Committee. We have studied this budget inside and out, and I believe that spending any more than what is proposed and before us is a mistake.

So those of you at home that are watching, what I want you to do, in the next 2 days, I want you to call your State Senators and I want you to thank your State Senators. I will tell you why. Forty-nine of them, 98 percent, thought this was a reasonable budget. Let me say that again: 49 State Senators thought this was a reasonable budget. So I want you to call each and every one of them and thank them for putting together a fair and reasonable budget.

There is only about a 50-percent chance you are going to be happy in the morning with your State Representatives. So what I want you to do is call each and every one of us and tell us, stop negotiation; you are too deep into my wallet already. Thank you.

The SPEAKER. The majority leader, Representative DeWeese.

Mr. DeWEESE. The previous speaker indicated a comfortability with 2.6 percent. The rate of inflation last year was 2.9 percent. It is not as if there are egregious differentiations between what the honorable gentleman is requesting and what we are negotiating.

There are so many programs, whether it is a COLA (cost-of-living adjustment) for folks that work with our mentally retarded, whether it is a chance to enhance disability opportunities in the world of rural transportation, whether it is a

Little League ballpark in the previous speaker's hometown, I just think that a concurrence vote, which would pulverize most of the small projects in the world of the Little League or the senior citizens center or the volunteer fire company, projects that my honorable colleagues voted for when Tom Ridge was Governor and in many cases voted for during the last 4 years, that are not in this budget. We are not talking about something colossal. There is not a titanic differentiation between what the gentleman talked about and the reality of our negotiations.

Again, one more time, he wants to keep spending at a 2.6 percent. The rate of inflation was 2.9. As I said in my initial remarks earlier this evening, Mr. Speaker, when we are talking about a \$27 billion experiment – and everything we do in budgeteering is experimental – we are only a couple hundred million dollars apart, and that can be and will be, must be negotiated – \$27,100,000,000, \$27,300,000,000; it is so close. So I would categorically reject the gentleman's comment, especially when the rate of spending in this proposal is under the rate of inflation.

The SPEAKER. Representative Seip.

Mr. SEIP. Thank you, Mr. Speaker.

I have serious concerns about the budget that was sent back to this chamber from the Senate. As a former CASSP (Child and Adolescent Service System Program) coordinator charged with coordinating all the child-serving agencies in my home county and working closely with all the educators in the county, I have concerns. The Classrooms for the Future program that all of my superintendents speak so highly of was cut by the Senate. "Science: It's Elementary" was also cut by the Senate. There were serious health-care cuts that were made in this budget as well. The HSDS funding, the Human Services Development Fund, was not reinstated. The Nurse-Family Partnership was cut. The already underfunded mental health programs will be further cut. For all the sportsmen in my area, the DCNR was cut – \$3.1 million from State parks and State forests.

Mr. Speaker, on behalf of the 61,513 constituents that I represent, I urge my colleagues to not concur with this budget. Thank you, Mr. Speaker.

The SPEAKER. Representative Waters.

Mr. WATERS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to just share something with this General Assembly. Back in 1964 when I was a paperboy, I just turned 14 years old – so you can guess how old I am – when I collected on my paper route, and I was approached and severely beaten and robbed by someone over my paper route money. And as you can imagine back in 1964, it was not a lot of money. And I was not beaten and robbed at gunpoint, but nonetheless, I was a victim of violent crime.

Now, the hospital that I was taken to, when the people took me there, they thought I was dead. They thought that I would be dead before the next day, because I had a fractured skull, I had a broken jaw, and I was in a coma for 2 weeks, while I was just trying to collect money as a youngster on my paper route. It scared my family to death and scared my community to death, and of course, I almost was dead for real. The hospital, the hospital where I was taken to that brought me out of that condition that I was in, out of that 2-week coma, was Misericordia Hospital, which is now called Mercy Hospital. And when I look at this budget and I see that \$1.5 million is cut out of the budget that can cause that hospital to close its doors— And that hospital is where they take a lot of people who are victims of crime in West Philadelphia. They take a lot of people

there. And unfortunately, a lot of people who go there do not have insurance or they are underinsured, but they still take those patients in.

They are at the end of their rope. We cannot allow a budget to be passed in this Commonwealth that will cause another hospital in Philadelphia to close its doors. I would sincerely ask for both sides of the aisle to join us in nonconcurrence because of what this hospital means to the community and truly what this hospital has meant to me and my family. If it was not for this hospital, I would not be here today to join these 203 members in the General Assembly.

So I say let us vote for nonconcurrence today and let us get back to work and make sure this bill, this budget bill that we are working on, is correct as it should be for the Commonwealth of Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. Representative Reichley.

Mr. REICHLEY. Thank you, Mr. Speaker.

I did not intend to actually take the floor tonight, but in response to the gentleman from Greene County's last set of remarks, I felt it important to clarify one particular thing.

The gentleman from Greene County, the majority leader, stated that we are very, very close. It is only \$200 or \$300 million apart. And I just want the members of the House to pause on that phrase, "\$200 or \$300 million." Back to the people in Pennsylvania, whether it is in Greene County or Bucks County or Lehigh County, that is their money. That is a whole heck of a lot of their money, and for somebody to act as if it is a trivial rounding error, I think, demonstrates the arrogance by which this budget is being approached.

This is a situation in which the people of Pennsylvania from throughout all the areas of our Commonwealth have asked us to reduce the level of spending. I got an e-mail tonight from John Timalonis in Lower Macungie Township that said, stop the spending. They want us to limit the amount. And some of the people here tonight have decried how much has been cut from education. But this again reveals the, and I will not say liberal or I will not say it will make it a partisan dynamic, but we have not cut education spending. If you take a look at the education budget – and I will flip over to the spreadsheet that we have – that the amount of money allocated for basic education funding in this document from the Senate actually increases the amount for basic education spending by \$166 million. That is not a cut.

The SPEAKER. If the gentleman will pause for one minute.

The gentleman is entitled to be heard. Members will take their seats.

The gentleman may continue.

Mr. REICHLEY. Thank you, Mr. Speaker.

The amount of spending for basic education is increased by \$166 million. That is not a cut, Mr. Speaker. That is an increase in the level of funding. For career and technical education, an increase of \$1.8 million; for special education, an increase of \$29.4 million; for early intervention, an increase of \$32.2 million; the accountability block grants, a very successful program which we have all heralded here in the last 4 years, an increase of \$25 million. Those are not cuts. Those are adding onto the programs which many people have felt were very valuable to their school districts and their communities, and I think we need to put this in perfect context that we are not eliminating funding to those districts because we have not increased it to the outlandish, astronomical sums requested by the Governor and the House Democrats.

We are trying to be responsible on this side of the chamber by realizing that there are cost drivers to many areas of the budget, whether it is in DPW (Department of Public Welfare), whether it is in education, and we have attempted to be responsive to that by allowing for some increases, have granted more of an increase than some of the people on this side of the aisle would like. We would have preferred to see the Civera amendment adopted by the Senate so the spending was limited to an even greater degree.

But the message we want to come out of this chamber tonight to the people of Pennsylvania is that there is not some gang that is going to come into your villages and homes and take all the rest of your money that you have available to satisfy the whims of the Governor and some of the people on the other side of the aisle. We need to be responsible in this budget. We need to hold the line on spending, and I ask the members, particularly in those areas outside of Philadelphia, we have heard a lot of comments from the people in Philadelphia, but there is an area in Pennsylvania other than Philadelphia that has significant spending needs that are addressed within this document and do not cause some kind of extravagant tax increase.

Vote to concur on the bill. Thank you very much.

The SPEAKER. Representative Turzai.

Mr. TURZAI. Mr. Speaker, I rise to support concurrence in HB 1286, but I first want to applaud Republican chairperson Mario Civera and his staff for their hard work in balancing two objectives, which I think the Senate tried to take into account, and we appreciate what they did. But let me make it clear that Representative Civera put us in the right direction. He wanted to balance the need for controlling spending with making sure that the needs of Pennsylvanians were met. And while I absolutely will concur with 1286, it would be great to be voting for Representative Civera's amendment again.

But let me tell you what he did and what he set in terms of a tone and why 1286 needs to be passed. He controlled spending; the Senate agreed with that. No new taxes; the Senate agreed with that. No need for more borrowing; the Senate agreed with that. He said that the people of Pennsylvania recognize that over 4 years we have increased spending by 33 percent, and what he said, let us put a rein, a slowdown on that, a rein on that, and we will take last year's budget and we will keep all those expenditures the same.

So everything that is funded, all of the programs that everybody talks about that are so important for people – the needy, education, police protection, the Attorney General – there is not a single thing in his amendment or in this bill that we did in last year's budget that is not back in this proposed bill. It is all there. He covered it all, but he did it by putting a control or a slowdown on spending, just as commonsense American, Pennsylvanian middle-class taxpayers wanted.

It was yeoman's work, but it was common sense. He said, we will take last year's budget, we will make a few increases, particularly with respect to education, we will keep it under the rate of inflation, and we will go home. People do not want Governor Rendell's voracious appetite for new taxes, which you will get with the Democratic 7-percent growth spending budget that you put over to the Senate. You will not get new tax increases. You will control spending. You do not need new borrowing, and you will take care of every citizen of Pennsylvania and for once show some respect for the middle-class taxpayer that has to pony up the bill.

Mr. Speaker, thank you for your hard work. I only wish the Senate colleagues could have stuck with your work, but by goodness, in comparison to what the Democrats put on the table at a 7-percent increase with seven new taxes, this is the best thing we are going to get, and we need to put it on the Governor's desk and go home and not do any more damage to Pennsylvania pocketbooks.

Thank you.

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—96

Adolph	Gabig	Mensch	Raymond
Argall	Gillespie	Metcalfe	Reed
Baker	Gingrich	Micozzie	Reichley
Barrar	Godshall	Millard	Roae
Bastian	Grell	Miller	Rock
Bear	Harhart	Milne	Rohrer
Benninghoff	Harper	Moul	Ross
Beyer	Harris	Moyer	Rubley
Boback	Helm	Murt	Saylor
Boyd	Hennessey	Mustio	Scavello
Brooks	Hershey	Nailor	Schroder
Cappelli	Hess	Nickol	Smith, S.
Causar	Hickernell	O'Neill	Sonney
Civera	Hutchinson	Payne	Stairs
Clymer	Kauffman	Peifer	Steil
Cox	Keller, M.	Perry	Stern
Creighton	Killion	Perzel	Stevenson
Cutler	Mackereth	Petri	Swanger
Denlinger	Maher	Phillips	Taylor, J.
DiGirolamo	Major	Pickett	True
Evans, J.	Mantz	Pyle	Turzai
Everett	Marshall	Quigley	Vereb
Fairchild	Marsico	Quinn	Vulakovich
Fleck	McIlhattan	Rapp	Watson

NAYS—102

Belfanti	Galloway	Manderino	Shapiro
Bennington	George	Mann	Shinkus
Biancucci	Gerber	Markosek	Siptroth
Bishop	Gergely	McCall	Smith, K.
Blackwell	Gibbons	McGeehan	Smith, M.
Brennan	Goodman	McI. Smith	Solobay
Buxton	Grucela	Melio	Staback
Caltagirone	Hanna	Mundy	Sturla
Carroll	Harhai	Myers	Tangretti
Casorio	Harkins	O'Brien, M.	Taylor, R.
Cohen	Hornaman	Oliver	Thomas
Conklin	James	Pallone	Vitali
Costa	Josephs	Parker	Wagner
Cruz	Keller, W.	Pashinski	Walko
Curry	Kenney	Payton	Wansacz
Daley	Kessler	Petrarca	Waters
DeLuca	King	Petrone	Wheatley
DePasquale	Kirkland	Preston	White
Dermody	Kortz	Ramaley	Williams
DeWeese	Kotik	Readshaw	Wojnaroski
Donatucci	Kula	Roebuck	Yewcic
Eachus	Leach	Sabatina	Youngblood
Evans, D.	Lentz	Sainato	Yudichak
Fabrizio	Levdansky	Samuelson	
Frankel	Longietti	Santoni	O'Brien, D.,
Freeman	Mahoney	Seip	Speaker

NOT VOTING—2

Geist Haluska

EXCUSED—3

Dally Ellis Surra

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bills be removed from the tabled bill calendar:

SB 455;
SB 466; and
SB 548.

On the question,
Will the House agree to the motion?
Motion was agreed to.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that HB 27 and HB 1530 be recommitted to the Committee on Appropriations.

On the question,
Will the House agree to the motion?
Motion was agreed to.

CALENDAR CONTINUED**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 798, PN 1244**, entitled:

An Act providing for the capital budget for the fiscal year 2007-2008; itemizing public improvement projects and furniture and equipment projects to be constructed or acquired or assisted by the Department of General Services, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services; stating the estimated useful life of the projects; providing for special provisions for certain projects; and making appropriations.

On the question,
Will the House agree to the bill on third consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader, who moves that SB 798 be recommitted to the Committee on Appropriations.

On the question,
Will the House agree to the motion?
Motion was agreed to.

SENATE MESSAGEHOUSE AMENDMENTS
NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 796, PN 1052**.

SENATE MESSAGEAMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 842, PN 2169**, and **HB 966, PN 2171**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. For the information of the members, there will be another bill voted tonight.

VOTE CORRECTIONS

Mr. PAYTON. Mr. Speaker?

The SPEAKER. Representative Payton.

Mr. PAYTON. For the record, on HB 894 I was recorded in the negative. I would like to be recorded in the positive. Thank you.

The SPEAKER. The Chair thanks the gentleman. Representative Geist.

Mr. GEIST. Thank you very much, Mr. Speaker.

I was making vicious stabs at my green light during that last vote and I was not recorded, and I would like to be recorded as green and ask that the House maintenance people check my switch so that next week it operates very well.

The SPEAKER. The gentleman's remarks will be spread upon the record.

BILL ON FINAL PASSAGE POSTPONED

The House proceeded to consideration on final passage postponed of **HB 1408, PN 2106**, entitled:

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, further providing for appropriation for and limitation on redevelopment assistance capital projects.

On the question recurring,
Shall the bill pass finally?

(Bill analysis was read.)

The SPEAKER. The question is, shall the bill pass finally?

Representative Evans.

Mr. D. EVANS. Mr. Speaker, I hope we can support this bill on both sides of the aisle to generate jobs and economic development. Thank you.

The SPEAKER. Representative Turzai.

Mr. TURZAI. This bill is the bill to increase borrowing under the redevelopment capital assistance projects by another \$500 million. In 2005 we increased this borrowing by an earlier \$500 million. We are now with respect to this RCAP at a borrowing or a total indebtedness of \$2.65 billion. The maker of this amendment wants to raise that borrowing to \$3.15 billion. The \$500 million that he wants to borrow will be paid back over 20 years at a cost of \$40 million per year. We will be paying back over \$800 million in principal, interest, and fees to allow this additional borrowing, and we had already done it in 2005 by increasing it from \$2.1 billion to \$2.6 billion.

Mr. Speaker, what is this – and it is known as RCAP – what is this money used for? It is essentially super-walking-around money that is particularly given out by the Governor for pet projects that he wants to deliver and reward in favor of a certain legislator over another legislator, a certain part of the State over another part of the State, and he wants more of it.

Now, keep in mind that the Commonwealth financing agency, where the Governor already during his administration borrowed \$1.3 billion that has to be paid back with taxpayer money, does the exact same thing. And when they did gambling for your property tax reform, the Governor took 5 percent out of the gambling taxes to use for these same special projects. So he has got the RCAP, he has got the Commonwealth Financing Authority, and he is taking 5 percent of your supposed property tax reduction, all to use for special projects.

Mr. Speaker, I would like some order, please. I would request some order, Mr. Speaker. Mr. Speaker?

The SPEAKER. The House will come to order. The member is entitled to be heard. Members will take their seats.

Mr. TURZAI. This administration has already borrowed in its first term close to \$3 billion that has to be paid back by your kids and mine – \$1.3 billion to the Commonwealth Financing Authority that is going to cost us about \$1.8 billion in principal, interest, and fees; \$650 million for Growing Greener II that is going to cost about \$975 million in principal, interest, and fees; and he increased the RCAP ceiling by \$500 million. This week he asked for \$500 million in borrowing from the Jonas Salk Legacy Fund that is going to cost about \$840 million in principal, interest, and fees, and he wants an unlimited borrowing amount for his Energy Independence Fund, which is a super-WAM program, walking-around money, special project program, that he has said that he would ultimately like that authority to do \$850 million that is going to cost \$1.4 billion in principal, interest, and fees.

So the last time we had \$2.75 billion that is going to cost us about \$4 billion to repay in the first 4 years, and now in this first year of his second term, he wants to borrow almost \$2 billion, and it is going to take us over \$3 billion to pay it back. Right now our total indebtedness is about \$7 billion. With what he has already done, by 2010-2011 it is going to be over \$10 billion. Anybody in this room who has recently had a kid, that kid is going to be paying this back, but not only your child, but that child's child, your grandchild, is going to be paying this back so that he can take around special checks for his projects right now to make sure that he and whomever he wants get reelected.

This is nothing but pure politics. We must stop this madness. Enough is enough. Let us really care about the children and grandchildren of this State. No more borrowing. Thank you.

On the question recurring,
Shall the bill pass finally?

The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—112

Barrar	Galloway	McCall	Seip
Belfanti	George	McGeehan	Shapiro
Bennington	Gerber	McI. Smith	Shimkus
Beyer	Gergely	Melio	Siptroth
Bianucci	Gibbons	Micozzie	Smith, K.
Bishop	Goodman	Mundy	Smith, M.
Blackwell	Grucela	Mustio	Smith, S.
Brennan	Haluska	Myers	Solobay
Buxton	Hanna	O'Brien, M.	Staback
Caltagirone	Harhai	Oliver	Stairs
Carroll	Harkins	Pallone	Sturla
Casorio	James	Parker	Tangretti
Cohen	Josephs	Pashinski	Taylor, J.
Conklin	Keller, W.	Payne	Taylor, R.
Costa	Kenney	Payton	Thomas
Cruz	Kessler	Perzel	Wagner
Curry	Kirkland	Petrone	Walko
Daley	Kortz	Preston	Wansacz
DeLuca	Kotik	Pyle	Waters
DePasquale	Kula	Ramaley	Wheatley
Dermody	Leach	Raymond	White
DeWeese	Lentz	Readshaw	Williams
Donatucci	Levdansky	Reichley	Wojnaroski
Eachus	Maher	Roebuck	Youngblood
Evans, D.	Mahoney	Sabatina	Yudichak
Evans, J.	Manderino	Samuelson	
Fabrizio	Mann	Santoni	O'Brien, D., Speaker
Frankel	Markosek	Scavello	
Freeman	Marshall		

NAYS—88

Adolph	Geist	Mantz	Rapp
Argall	Gillespie	Marsico	Reed
Baker	Gingrich	McIlhatten	Roae
Bastian	Godshall	Mensch	Rock
Bear	Grell	Metcalfe	Rohrer
Benninghoff	Harhart	Millard	Ross
Boback	Harper	Miller	Rubley
Boyd	Harris	Milne	Sainato
Brooks	Helm	Moul	Saylor
Cappelli	Hennessey	Moyer	Schroder
Causar	Hershey	Murt	Sonney
Civera	Hess	Nailor	Steil
Clymer	Hickernell	Nickol	Stern
Cox	Hornaman	O'Neill	Stevenson
Creighton	Hutchinson	Peifer	Swanger
Cutler	Kauffman	Perry	True
Denlinger	Keller, M.	Petrarca	Turzai
DiGirolamo	Killion	Petri	Vereb
Everett	King	Phillips	Vitali
Fairchild	Longietti	Pickett	Vulakovich
Fleck	Mackereth	Quigley	Watson
Gabig	Major	Quinn	Yewcic

NOT VOTING—0

EXCUSED—3

Dally	Ellis	Surra
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

Ordered, That the clerk present the same to the Senate for concurrence.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader, who moves that the following bill be removed from the tabled bill calendar: SB 728.

On the question,
Will the House agree to the motion?
Motion was agreed to.

AGING AND OLDER ADULT SERVICES COMMITTEE MEETING

The SPEAKER. The Chair recognizes Representative Mundy for an announcement.

Ms. MUNDY. Thank you, Mr. Speaker.

The members of the Aging and Older Adult Services Committee will meet in room G-50 immediately upon recess. It will be a voting meeting. We would appreciate your attendance. Thank you.

The SPEAKER. There will be an Aging and Older Adult Services Committee meeting at the call of the recess in room G-50.

Are there any other announcements?

STATEMENT BY MR. McGEEHAN

The SPEAKER. Representative McGeehan.

Mr. McGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to be recognized on unanimous consent.

The SPEAKER. Without objection, the gentleman, Representative McGeehan, is recognized under the provision of unanimous consent. The Chair hears no objection. He is in order and may proceed.

Mr. McGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, as we inexorably move to the Fourth of July celebration—

The SPEAKER. If the gentleman will pause for one second. The gentleman is entitled to be heard.

Representative McGeehan.

Mr. McGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, as we move inexorably toward our Fourth of July celebration of our own freedom and liberty, we should be mindful that those same principles and ideals are under assault this very moment in Great Britain. It is now the wee small hours of Sunday morning in that great island nation, and as tens of millions of Britons prepare to attend religious services, they do so on the third day of three vicious and determined attempted terrorist attacks.

We all thank God that no innocent lives have been lost thus far. We also know that it could just as well be happening here. Mr. Speaker, I recall the great support that the British nation and people showed us on September the 11th. It is only fitting

that we extend that same support tonight to our longest and strongest allies.

Mr. Speaker, I know I speak for each and every member and indeed for 12 million Pennsylvanians and 300 million Americans when I extend our hand across the ocean to the great people and nation of Great Britain in solidarity and support and vow with them to hunt down and prosecute these vicious terrorists.

Thank you, Mr. Speaker.

The SPEAKER. Are there any members seeking recognition?

HOUSE SCHEDULE

The SPEAKER. Representative DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

Before you conclude with any housekeeping measures, I would like to give a rough sketch of our schedule.

We will be on a 6-hour call of the Chair tomorrow. If lightning would strike, we will bring you back within 6 hours. We will reach out immediately tonight to our counterparts and see if we can engage in conference settings and move this process along. We will return on Monday at 1 o'clock and the gavel should sound and the prayer should be offered and the Pledge shared by all, and it is our plan to work on Monday and Tuesday and Wednesday and Thursday and Friday, and that will be our goal.

Thank you very much.

VOTE CORRECTION

The SPEAKER. Representative Haluska.

Mr. HALUSKA. Thank you, Mr. Speaker.

Mr. Speaker, I was not recorded on the previous vote on HB 1286. I would like to be recorded in the negative.

The SPEAKER. The Chair thanks the gentleman. His remarks will be spread upon the record.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, any remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, tomorrow will be a nonvoting session, and the House intends to convene, unless otherwise called, at 1 p.m. on Monday.

RECESS

The SPEAKER. The House stands in recess to the call of the Chair.